App. F. IX-4

Previous References

1940.
C/5

File No. 122-40
Serial Nos. 1-3

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Nee only

Part B for March 1941

SUBJECT.

Report on the Administration of Civil Justice for the year 1940-41

Serial No.

From
The Registrar High Court
No P 35/40-41 Dt 16-11-1940.

Forwards in triplicate the Report on the Admin of Civil Justice in Mysore for the year 1939-40.

Submit with a draft

Chief 19/11

For Secretary (Law Secretary) 3 19/11/40

[redacted]

Hon 2 20/11/40

Issue

3 20/11

TYPING SECTION 21 NOV. 1940 GEN. & REV.

To
The Superintendent Govt printing
No 2742 Dt 25-11-40.

Forwards one copy of the Report on the administration of Civil Justice in Mysore for the year 1939-40 for being set in type.

The report as well as the Statistical Statements have been Verified. As Certain discrepancies were Observed more especially in Statement "B" Of the report the same were brought to the notice Of the High Court Office informally and after Obtaining the further particulars from the Subordinate Courts the High Court office have made the necessary Corrections.

The corrected Statement was made available on 27. 1. 1941.

A draft Of a review is submitted herewith

may be approved

S/a Secretary 3 28/1/41

I Member)

Hm 2. 28/1/41

3 29/1/41

NM 5/2/41

Hm 2 5/2/41

3 5/4

3050 Review on the report on the administration of Civil Justice for 1939-40.

General and Revenue Secretariat | Cts File No. 122 of 1940 | [App. F. III-2

Serial No.

It is submitted that this is a Council Matter

Law Secretary 3/2

C&R 11/2

This is a Council matter and may be disposed of by circulation.

Dewan) Hm 7/2/41 3 10/2/41

10-2-41

For favour of circulation

Chief Secy) m/c Hm 2 11/2/41.

DEWAN'S OFFICE 10 FEB 1941 No. 5136

CHIEF'S 11 FEB 19 GOVT. OF MYSORE.

CB 2nd 12/2/41

Noted with a satisfaction Mem

or Disposal by Circulation.

No. C. 421 of 1940-4

193

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Report on the administration of Civil Justice in Mysore for the year 1939-40 with the draft Government Review thereon.

Circulated to the Members of Council.

By Order,

M. Venkatesalyengar

12th February 1941

Chief Secretary to Government.

First Member of Council. (seen)

12/2-2-41 **Second Member of Council.**

D 142

Law Secy.
(with compliments)
Govt
11/2/941

787/20/2

Submitted with a D.F.N.
(A typed copy of the review is also enclosed to the D.F.N.)
Law Secretary

Report on the Administration of Civil Justice in 1939-40

General and Revenue Secretariat | ct File No. 122 of 1940. | [App. F. III-2

Serial No.

DEWAN'S OFFICE
27. FEB. 1941
5680

FEB 21 1941
8455

D. 7. N. submitted

I Member)

Hm 2 20/2/41

Signed 7.N. Kept in file. 3 21/4

C16 26/2/41

S. N. submitted

Final Note by the First Member of Council.

Subject. —

Report on the administration of Civil Justice in Mysore for the year 1939-40.

I beg to submit for the gracious perusal of His Highness the report on the administration of Civil Justice in the State for the year 1939-40 together with the draft Government Review thereon.

N. M. Samaday

MEMBER OF COUNCIL.

Bangalore,
26th February 1941.

Submitted to His Highness.

I submit herewith a Final Note by the FIRST *Member of Council on the subject of* the Report on the administration of Civil Justice in Mysore for the year 1939-40, *for His Highness' gracious approval.*

Mirza M. Ismail

Dewan.

Bangalore,

27th February 1941.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Report on the administration of Civil Justice in Mysore for the year 1939-40.

Order.

no. 561.

28/2/41.

3.3.41

Secretariat.

SUBJECT:—

Report on the administration of civil justice in Cyprus for the year 1940.

(*)

31 All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness, orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

Law Department.

3/3/41

8721
3.3.41

FIRST MEMBER OF COUNCIL.

6/3/41

8549
4.3.41

SECOND MEMBER OF COUNCIL.

4/3

Law Secy. with Compliments.

5/3/4

5/3/4

TYPING SECTION
5 MAR. 1941
SEC. & REV. OFFICE

NOTE.—Contn. sheet

WD 01183—GPB—500—16-10-4

We "abroad" shall very soon

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

Civil Justice

Reviews the Report on the administration of Mysore for the year 1939-40.

G. O. No. P 4578 Jcts 122-40-3 DATED 8. 3. 1941

May this be

i. printed ? yes

ii. treated as a standing order ? NO

iii. published in the Gazette English Part ? yes

iv. translated ? Yes

v. placed at the disposal of the press ? yes

iv. published in the Gazette Kannada Part ? Yes

3

873|4.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore, 16th November 1940.

~~XXXXX~~ No.P.30
~~XXXXX~~ 39-40.

Encs: Report in triplicate
2 sets of statements
18 each

T. Shamiengar,
~~Sundararaja Rao, Esq., B.A., B.L.,~~
~~S. Venkata Ranga Iyengar, Esq., B.A., LL.M.,~~
Registrar, High Court of Mysore.

SECY. LAW DEPT. 18 NOV. 1940 GOVT OF MYSORE

SECRETA 18 NOV. 194

From

To

H.V. Narayana Rao Esq., B.A., LL.B.,
Secretary to Government
Law Department,
Bangalore.

SIR,

I am directed to enclose, in triplicate, the report on the Administration of Civil Justice in Mysore for the year 1939-40 with the usual statistical statements in duplicate.

I have the honour to be,

Sir,

Your most obedient servant,

T. Shamiengar
REGISTRAR.

BCR.

REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN MYSORE FOR THE YEAR 1939-40.

PART I

HIGH COURT

1. Personnel:-

(i) Sir D'Arcy Reilly, Chief Justice, was on leave from the beginning of the year to 16th November 1939. Mr. Justice Abdul Ghani officiated as Chief Justice during that period, and Mr. S.Venkata Ranga Iyengar, District Judge, acted as a Puisne Judge of the of the High Court.

(ii) Mr. Justice Nagesvara Iyer was on privilege leave from 13th Novemb 1939 to 22nd December 1939, and in his place Mr. S.Venkata Ranga Iyengar continued to act as a Puisne Judge of the High Court from the return of Sir D'Arcy Reilly, Chief Justice, from leave to 22nd December 1939.

(iii) From 16th January 1940 to 25th February 1940 Mr. Justice Nagesvara

from Court, and Mr. S.Venkata Ranga Iyengar acted as a Puisne Judge of the High Court in his place from 16th January 1940 to 14th February 1940.

(iv) The appointment of temporary Fourth Judge of the High Court, held by Mr. Justice Singaravelu Mudaliar, was made permanent from 2nd January 1940

(v) Two temporary Judges were added to the High Court for 2 years from 15th February 1940, as the number of second appeals preferred to the Court had increased so much in recent years; and to those posts Mr. S.Venkata Ranga Iyengar and Mr. C.Subrahmanya Aiyar, District Judges, were appointed.

2. Receipts and Charges:-

The total receipts and charges of the High Court for the year under report as compared with those of the previous year are set out below:-

Receipts and charges.	1938-39	1939-40	Increase	Decrease
	Rs. As.Ps.	Rs. As.Ps.	Rs. As.Ps.	Rs. As.
Receipts	62,499-12-0	61,961-1-0		538-11-
Charges	1.53,419- 3-5	1,68,915-15-0	15.496-11-7	

The increase under charges is mostly due to the appointment of two additional Judges with a temporary establishment from 15th February 1940.

3. Sittings of Judges:-

There were 512 sittings in the year under report against 438 in the previous year and 414 in 1937-38. The sittings consisted of 1 Full Bench sitting, 355 Division Bench sittings and 156 sittings of single Judges on the Revision side (including the 18 sitting of the Chief Justice alone and 7 Bench sittings of the Chief Justice and Mr. Justice Subrahmanya Aiyar for criminal work during the Summer Vacation).

4. First Appeals:-

(i) Institutions:- The number of First Appeals filed during the year was 169 against 128 in the previous year, 139 in 1937-38, 122 in 1936-37, 142 in 1935-36 and an average of 85 in the preceding 5 years. The aggregate value of appeals filed was

Rs.5,96,250-0-7 against Rs.3,56,149-15-5 in the previous year, and the average value of an appeal Rs.3,528-1-8 against Rs.2,782-6-9.

(ii) Disposals:-Including those pending from the previous year, there were for disposal 397 First Appeals against 373 in the previous year. The number disposed of was 139 of the aggregate value of Rs.6,74,922-4-8 against 145 of the value of Rs.7,71,527-6-8 in the previous year and 103 of the value of Rs.3,27,645-6-8 in 1937-38.

(iii) Average duration:-The average duration of First Appeals disposed of was 668.057 days against 616.82 days in the previous year, 632.6 days in 1937-38, 515.9 days in 1936-37, 757.04 in 1935-36, and 1435.53 days in 1934-35. The high average duration in the year under report was due to the fact that all the remaining appeals of the years 1936-37 and 1937-38 were disposed of. The table below gives the distribution according to years of the First Appeal for disposal, disposed of and pending:-

First Appeals	1936-37	37-38	38-39	39-40	Total.
For disposal	1	116	111	169	397
Disposed of	1	116	13	9	139
Pending	-	-	98	160	258

For the first time for many years no appeal more than 2 years old was left undisposed of at the end of the year.

(iv) Pendency:-As shown in the table above, there were 258 First Appeals pending at the end of the year under report against 228 at the end of the previous year and 245 at the end of 1937-38. The increase was due partly to the fact that heavy criminal work left less time for civil work and partly to the fact that 41 more appeals were received than in the previous year.

5. Second Appeals:-

(i) Institutions:-The number of second appeals filed was 451 (includi 2 refiled) against 412 in the previou year, 532 in 1937-38, 522 in 1936-37 and an average of only 219 for the

10 years 1926-27 to 1935-36. The aggregate value of appeals filed was Rs.1,52,724-2-4 against Rs.1,43,289-9-11 in the previous year, Rs.1,52,787-9-9 in 1937-38 and Rs.1,82,673-12-11 in 1936-37.

(ii) Disposals:-Including those pending from the previous year, the total number of second appeals for disposal was 1351 against 1231; and the number disposed of was 348 of the aggregate value of Rs.1,11,074-13-11 against 331 of the aggregate value of Rs.1,07,872-6-11. On account of inspection work and for other reasons the full effect of appointing two additional Judges in the middle of February mainly for the disposal of Second Appeals was not fully felt during the remainder of the year. But in the succeeding months considerable progress has been made in reducing the number of those appeals.

(iii) Average duration:-The averag duration of Second Appeals disposed of in the year was 643.362 days against 468.06 days in the previous year

499.1 days in 1937-38, 568.4 days in 1936-37 and 751.1 days in 1935-36. The high average duration was mainly due to the disposal of long pending appeals of 1936-37. The table below gives the distribution according to years of Second Appeals for disposal, disposed of and pending:-

Second Appeals.	1936-37	1937-38	1938-39	1939-40	Total	Remark
For disposal	242	347	313	449	1351	Includes 2 re-filed.
Disposed of	196	4	31	117	348	
Pending	46	343	282	332	1003	

6. Aggregate and average value of appeals disposed of:-

The information is set out in the table below:-

Kinds of appeals and year.	Appeals disposed of No.	Aggregate value.	Average value.	Costs incurred by Appellants.	Costs incurred by Respondents.	Average cost for an appeal
First Appeals 1938-39	145	771527-6-8	5320-14-0	54027-0-4	24859-0-4	544- 0-8
1939-40	139	674922-4-8	4855- 8-10	13746-4-0-	18154-13-1	119-10-4
Second Appeals 1938-39	331	107872-6-11	325-14-4	24350-13-8	3966-15-7	85- 8-10
1939-40	348	111074-13-11	319- 2-11	27839-10-4	5177-3-4	94-14-0

7. Miscellaneous Appeals:-

for disposal (against 80 in the previous year) and 64 (against 60) were disposed of, leaving 22 (against 20 pending. The average duration of Miscellaneous Appeals disposed of was 159.328 days against 103.7 days in the previous year. (The disposals are classified in Statement No.10, Part II).

Miscellaneous Appeals.	1937-38	1938-39	1939-40	Total.
For disposal	2	18	66	96
Disposed of	2	16	46	64
Pending	-	2	20	22

8. Civil Revision Petitions:-

The number of Civil Revision Petitions filed during the year was 476 against 472 in the previous year. The number of petitions disposed of was 460 against 540 in the previous year, and the number left pending was 195 against 179 in the previous year. Of the number left pending 1, which was connected with an appeal, related to the year 1938-39, and the rest to

1939-40. Details according to years are given below:-

Revision Petitions.	1937-38	1938-39	1939-40	Total.
For disposal	2	177	476	655
Disposed of	2	176	282	460
Pending	-	1	194	195

9. Civil Petitions:-

Including 33 pending from the previous year, there were 146 Civil Petitions for disposal (against 142 in the previous year). Of them 106 were disposed of (against 109 in the previous year), leaving 40 (against 33) pending at the end of the year as shown below:-

Civil Petitions	1937-38	1938-39	1939-40	Total.
For disposal	2	1	113	146
Disposed of	2	26	78	106
Pending	-	5	35	40

10. Civil Referred Cases:-

No Civil Referred Case was filed during the year under report. The one case, which was pending from the previous year, was disposed of.

11. Summary of Judicial Work:-

The Civil judicial work done by the High Court during the year under report as compared with that of the previous year is set out in the following table:-

	Year	OPENING Balance	Filed	Total for disposal.	Disposed of.	Pending.
First Appeals.	1938-39	245	128	373	145	228
	1939-40	228	169	397	139	258
Second Appeals.	1938-39	819	412	1231	331	900
	1939-40	900	451	1351	348	1003
Miscellaneous Appeals.	1938-39	23	57	80	60	20
	1939-40	20	66	86	64	22
Civil Revision Petitions	1938-39	247	472	719	540	179
	1939-40	179	476	655	460	195
Civil Petitions.	1938-39	35	107	142	109	33
	1939-40	33	113	146	106	40
Civil Referred Cases.	1938-39	2	3	5	4	1
	1939-40	1	-	1	1	-
T O T A L.	1938-39	1.371	1,179	2,550	1,139	1,361
	1939-40	1,361	1,275	2,636	1,118	1,518

It will be seen that except under the comparatively unimportant head of Civil Referred Cases more work of every kind was received than in the previous year.

12. Statistics of the administrative business of the High Court Office:-

(i) References from the Government:-

The number of references received from the Government during the year was 240 (against 235). With seven references pending from the previous year there were 247 for disposal (against 242), out of which 238 (against 235) were disposed of, leaving 9 (against 7) pending at the end of the year.

(ii) References from co-ordinate and subordinate offices:-

Including 68 references pending from the previous year, there were for disposal 1351 (against 1378), out of which 1230 (against 1310) were disposed of, leaving 121 (against 68) pending at the end of the year.

(iii) Petitions:-

Including one pending from the previous year, there were for disposal 129 (against 121), out of which 122 (against 120) were disposed of, leaving 7 (against 1) pending.

(iv) Periodical Returns and Reports:-

There were 1221 (against 1184) for disposal; and 1,216 were finally disposed of, leaving 5 (against 6) pending.

13. Law Reporting Work:-

A Law Reporter, who is an Advocate of the High Court, was appointed to edit the Mysore High Court Reports for two years from 1st August 1939. Unfortunately in spite of this assistance there was for various reasons great delay in issuing the monthly parts of the Reports.

PART II

Courts subordinate to the High Court.

1. Number of Courts.

The total number of District Judges, Subordinate Judges and Munsiffs was 45 on the last day of the year under report (against 44 in the previou year) as shown below:-

5 District Judges, including the Additional District Judges of Bangalore and Shimoga,

5 whole-time permanent Subordinate Judges, including the Judge of the Court of Small Causes at Bangalore and the Additional Subordinate Judge of Mysore,

1 temporary whole-time Additional Subordinate Judge of the Subordinate Judge's Court, Bangalore,

5 part-time Additional Subordina Judges (First Class Magistrates of Chickmagalur, Chitaldrug,

24 whole-time permanent Munsiffs, to four of whom (at Dodballapur, Hole-Narsipur, Hunsur and Kolar-Gold-Fields) magisterial work also has been given,

5 part-time Additional Munsiffs (Special Magistrates), namely the First Magistrate of Shimoga, the Special Magistrate of Closepet and the Second Magistrates of Kolar, Shimoga and Tumkur. (The Special Magistrate of Closepet and the Second Magistrates of Kolar and Shimoga tried no civil case during the year)

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45 in all.

(a) The temporary appointment of the Additional District and Sessions Judge for the Bangalore Division was extended for a further period of a year from 3rd April 1940, and he continued to be an Additional Judge of the District and Sessions Court, Bangalore

appointed to the District Court of Shimoga for a period of six months from 1st August 1939 to dispose of heavy arrears of original suits and Land Acquisition cases. The term of the appointment was extended up to 31st March 1940 in the first instance, and it was further extended up to 30th September 1940.

(c) The term of the temporary Additional Subordinate Judge, who was appointed to the Subordinate Judge's Court at Bangalore from 2nd January 193 to hear civil appeals, was continued for a period of six months from 2nd July 1939 and again for a further period of a year from 2nd January 1940.

(d) The temporary appointment of the First Magistrate of Tumkur as Additional Subordinate Judge to hear appeals from the decisions of Munsiffs in the Tumkur District, sanctioned for one year from 1st October 1935, was further extended to the end of the year under report.

(e) The First Magistrate of Shimoga

was appointed Additional Munsiff of the Munsiff's Court at Shimoga from 2nd January 1940.

(f) The term of the whole-time Additional Munsiff, who was working at Shimoga at the end of the previous year, was extended for six months from 2nd July 1939 and afterwards further extended to 1st April 1940, from which date the appointment ceased. The Additional Munsiff worked at Shimoga, Tunkur and Chickballapur during the year.

2. Jurisdiction of Courts:-

There was no change in the territorial jurisdiction of Courts during the year under report. But the District of Mysore was divided into two Districts, Mysore and Mandya, from 1st July 1939. From that date the jurisdiction of the District Judge of the Mysore Division comprised the Revenue Districts of Mysore, Hassan and Mandya, and the local limits of original civil jurisdiction of the

the Revenue Districts of Mysore and Mandya.

3. Receipts and Charges:-

The total receipts of all the Courts subordinate to the High Court were Rs.9,79,379-14-8 against Rs.9,85,473-4-0 in the previous year, and the charges Rs.6,60,643-10-11 against Rs.6,80,205-3-0. The decrease of Rs.19,561-8-1 in charges was due to smaller totals under refunds of half-institution fees in cases compromised and of lapsed deposits.

4. Institutions and Disposal of suits:

(Vide Statements 7 and 8 and Special Statements 3 and 4 and also Statement 'A').

(a) The total number of suits instituted in all the Civil Courts subordinate to the High Court was 25,961 against 29,220 in the previous year and an average of 36,725 in the previous 10 years. There has been a very considerable decline in the total number of suits instituted in recent

years. It was 36,909 in 1935-36, 34,444 in 1936-37 and 32,861 in 1937-38. But the decrease in the work of the Courts has been much less than those figures might suggest at first sight. It is in small cause suits that most of the falling off in institutions has happened. The total number of such suits instituted in 1939-40 was 11,361 against 13,884 in the previous year and an average of 20,759 in the previous 10 years. In ordinary suits, which occupy much more time in disposal the decline was very much less. In 1939-40 the total number instituted was 14,600 against 15,336 in the previous year and an average of 16,365 in the previous 10 years. The decrease in suits and particularly in small cause suits is due mainly to the effect of the Agriculturists' Relief Act and to a small degree to the operations of Debt Conciliation Boards. When measures are introduced for the relief of debtors, it must be expected that the work of the civil Courts will be affected. In 1939-40 the institutions

in the Munsiff's Courts were 14,239 ordinary and 6,188 small cause suits (or 20,427 in all) against 14,986 ordinary suits and 8,640 small cause suits (or 23,626 in all) in the previous year. In the Subordinate Judges' Courts (including the Court of Small Causes, Bangalore, and the Additional Subordinate Judge's Court, Mysore), 288 ordinary suits and 5,173 small cause suits (against 271 and 5,244) were instituted. It may be noticed that there was very little fall in the number of small cause suits instituted in the Courts which try such suits in the Cities of Bangalore and Mysore. In the District Courts 73 ordinary suits (against 79) were filed.

(b) Institutions according to population and area:-

On the whole in the year 1939-40 one suit was filed for every 247 persons in the State (against one for every 220 persons in the previous year) and one suit for every 1.1 square miles (against 1 square mile). Among the districts Bangalore contributed the largest number of suits, viz. 5,779

and Kadur again the smallest number, viz. 911. Mysore was no longer the district in which the largest number of suits were instituted because, as mentioned already, it was divided into two districts, Mysore and Mandya.

(c) Aggregate and average value of suits filed:-

The aggregate and average values of suits instituted were respectively Rs.73,31,356-1-0 and Rs.282-6-5 against Rs.72,31,151-7-9 and Rs.247-7-6 in the previous year. The average aggregate value for the 10 years 1929-30 to 1938-39 was Rs.83,56,932-0-0. Roughly, as might be expected, the decline in aggregate value has followed the decline in the number of suits instituted but has not been commensurate with it. Indeed in the year under report a large decline in the number of suits instituted was accompanied by an increase in aggregate value. These features of the statistics are the result of the decline in suits being mainly in small cause suits.

5. DISPOSAL OF SUITS:-

(Vide Statement 9, Part I and Special Statements Nos. 5 and 6).

With 25,961 suits filed and 1,064 re-filed or remanded in addition to 11,662 suits pending at the beginning of the year there were for disposal 38,323 suits (agains 40,830 in the previous year). The number of ordinary suits disposed of was 15,985 (against 15,932, in the previous year), of which 228 or 1.42 per cent (against 1. 33 per cent) were disposed of without trial, 9,305 or 58.2 per cent (against 56.5 percent without contest, 6,450 or 40.35 (against 42.06) after contest and 2 by reference to arbitration. The number of small causes disposed of was 12,524 (against 13,236), of which 252 or 2.01 per cent (against 2.4) were disposed of without trial, 9,940 or 79.3 per cent (against 79.7) without contest and 2,331 or 18.6 per cent (against 17.8) after contest. Statement 'A' shows the work of individual Courts and also of different classes of Courts.

The total number of suits left pending at the end of the year was 9,814 against 11,662 at the beginning of the year, the decrease being 1,848.

6. DISPOSAL OF OLD SUITS:-

(Statement 'B' appended shows the number of suits (ordinary and small causes) for disposal, disposed of, and pending according to the years to which they relate in the several classes of Courts).

At the end of the year there were 297 suits, including 9 small cause suits, in the Courts of original jurisdiction which were more than a year old. At the end of the previous year the number was 365; at the end of 1937-38 it was 392; at the end of 1936-37 it was 622; at the end of 1935-36 it was 1,555; at the end of 1934-35 it was 3,786; and at the end of 1933-34 it was 4,901. In many Courts there were only a few old suits pending, which could not be disposed of for reasons beyond the control of the Judges. Of 288 ordinary suits more than a year old 152 were in the Bangalore Division, 88 in Mysore Division and 48 in Shimoga Division. The largest number in any Court, viz. 33, was in the Munsiff's Court at Shimoga,. At the end of the year 2 of the Courts trying ordinary original suits, viz. the Munsiff's Courts at Kolar and Nanjangud, were clear of all such suits more than a year old. In 16 Courts the number of suits more than a year old was 5 or less; and among them were all the Courts

of the Shimoga Division except four. The continued improvement in this matter is satisfactory. The number of old suits left pending at the end of the year was the lowest in modern times, which shows that on the whole the Judges of original civil Courts have been working diligently and in a businesslike way. But in the District Courts and in the Subordinate Judges' Courts at Bangalore and Mysore and in a few of the Munsiffs Courts there was still too much delay.

7. AVERAGE DURATION OF SUITS:-

The average duration of suits (ordinary and small cause) contested and uncontested taken together was 154 days against 141 in the previous year. The average has varied considerably in recent years. It was 548 days in 1934-35, 403 days in 1935-36, 162 days in 1936-37 and 119 days in 1937-38. When a great many old suits had to be disposed of, it was naturally high. As the arrears of old suits were cleared off it decreased. As the proportion of small cause suits to ordinary suits, which take up more time, falls the average duration is likely to rise. Of contested suits taken seperately the average duration was 285 days against 273 in the previous year: of uncontested suits it was 61.1 days against 66.7 days. Of contested ordinary suits the average duration was 325 days against 307 and of contested small cause suits 176 days against

8. PENDING FILE OF SUITS:-

YEAR	- DIVISION -			- CLASS OF COURTS			Total.
	Bangalore	Mysore	Shimoga	Munsiff's Courts.	Subordinate Judges' Cts.	District Courts.	
1938-39	5,726	3,984	1,952	10,130	1,400	132 →	11662
1939-40	4,235	3,808	1,771	8,149	1,560	105 →	991
ıcrease	-	-	-	-	160	-	
ɔcrease	1,491	176	181	1,981		27	1848

It will be seen that taking the Courts by classes there was a reduction of arrears in the District Courts and the Munsiffs Courts but an increase in the Subordinate Judges' Courts.

9. MISCELLANEOUS CASES:-

(Statement No.9, Part II and Special Statement No.2).

Including 4,283 cases pending from the previous year, the total number of miscellaneous cases for disposal was 13.520 (against 13,640 in the previous year), out of which 9,644 (against 9,357) were disposed of, leaving 3,876 pending at the end of the year. Of the 13,520 cases for disposal 784 or 5.7 per cent (against 6.4 per cent in the previous year) were applications for setting

aside

aside orders dismissing suits, 2,261 or 16.7 per cent (against 17.3 per cent) for setting aside ex parte decrees, 149 or 1.1 per cent (against 1.1 per cent) for review of judgment, and 562 or 4.1 per cent (against 4.2 per cent) for permission to sue as pauper while the remaining 9,764 related to other matters. Of the 9,644 cases disposed of 3,586 or 37.1 per cent (against 34.7 percent) were contested.

10. EXECUTION OF DECREES:-

(a) Including 24,794 applications pending from the previous year, there were for disposal 69,222 applications for execution of decrees (against 75,246 in the previous year), of which 46,095 (against 50,452) were disposed of, leaving 23,127 pending. The number of applications undisposed of was reduced by 1,667.

(b) The percentage of applications which proved wholly infructuous was 64.7 against 64.09 in the previous year.

(c) Immoveable property was sold in 3,450 cases against 3,374 cases in the previous year, and moveables in 173 against 216. Possession of immoveable property was given by the Court in 333 cases against 364 and of moveables in 7 cases against 12. Partition was effected by the Court in 14 cases against 10. The number of persons arrested

was 646 against 935 and the number committed to the civil jail 64 against 58. The amount realised in execution during the year was Rs.31,19,817-3-5 against Rs.29,12,370-10-5 in the previous year.

(d) Old Execution Cases:-

In addition to an appreciable reduction in the total number of execution cases left pending at the end of the year, the number of execution cases more than a year old was again considerably reduced. At the end of the year it was 1539 against 2093 at the end of the previous year, 2411 at the end of 1937-38, 3435 at the end of 1936-37 and 5779 at the end of 1935-36. It will be seen that there has been a continuous reduction in the number of old cases pending; but the number is still too high. Of the 1539 execution cases more than a year old 696 were in the Bangalore Division, 693 in Mysore Division and 150 in Shimoga Division. In the First Munsiff's Court at Mysore alone there were 179 such cases and in the Doddballapur Munsiff's Court 171.

11. INSOLVENCY APPLICATIONS:-

(Statement No. 12).

The number of insolvency applications pending from the previous year was 190; the number filed was 254 against 298 in the previous year. The number of applications

granted was 216 (against 305), Receivers being appointed in 66 cases against 104 cases. The number of applications withdrawn was 99 (against 152). The number of cases finally closed, in which the estates of insolvents had been vested in Receivers, was 13. The gross amount of insolvents' assets realised was Rs.24,224.2.: (against Rs.41,399-13-6), and the amount disbursed to creditors was Rs.28,285-12-11 (against Rs.36,478-1-7).

12. APPELLATE WORK:-

(Statement No.10, Part I and "C" Statement).

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REGULAR APPEALS.

1. (a) Institutions:-

The total number of Regular Appeals filed (including those refiled and remanded in the District Courts and Subordinate Judges' Courts was 1304 against 1426 in the previous year. The aggregate value of x appeals filed was Rs.4,89,123-3-3 against Rs.6,79,086-15-2.

(b) Disposals:-

The number of regular appeals pending from the previous year was 1350; the number disposed of was 1558 against 1513; and the arrears were reduced by 254 to 1096. In the Bangalore Division the total number of

such appeals pending was reduced from 366 to 183. The Additional Subordinate Judge of Bangalore, who had been appointed primarily to hear appeals, disposed of 252 regular appeals besides 5 original suits and also 80 land acquisition cases, for hearing which he was specially empowered. The number of regular appeals pending in the Bangalore Division, excluding those before the Additional Subordinate Judges of Kolar and Tumkur from the decisions of Munsiffs of those districts, was reduced to 76; but the latter number might have been more if the Judge of the Court of Small Causes had found time to hear more appeals, as he should have done. In the Mysore Division on the other hand the arrears were unfortunately allowed to go up from 418 to 510. The District Judge disposed of only 25 appeals, of which only 15 were contested As such appeals in that District are heard by the District Judge and 3 Subordinate Judges, they ought to be able to keep pace with the work. In the Shimoga Division the arrears were reduced from 566 to 403. The result would have been much better if the Additional Subordinate Judge of Chikmagalur, who hears appeals from the decisio of Munsiffs in the Kadur District, had been able to overtake any appreciable part of his arrears. As he has now been relieved of a great deal of his criminal work as First Magistrate of Chikmagalur, he should be able

to give much more time to civil work.

(c) Average duration:-

The average duration of Regular Appeals disposed of in all the three Divisions during the year was 377.08 days (against 364.47 in the previous year). In the Shimoga Division the average was, as in the previous year, much higher, namely, 659.31, as there were many old appeals to be heard. The following table shows the regular appeals dealt with in the three Divisions:-

DIVISIONS	1939-40.				1938-39.				REMARKS.
	For Disposal	Disposed of	Pending	Average Duration	For Disposal	Disposed of	Pending	Average Duration	
Bangalore	882	699	183	205.6	1263	897	366	326.6	
Mysore	885	375	510	334.55	775	357	418	264.5	
Shimoga	887	484	403	659.31	825	259	566	533.3	
TOTAL:	2654	1558	1096	377.08	2863	1513	1350	364.47	

2. MISCELLANEOUS APPEALS:-

The number of Miscellaneous appeals pending at the beginning of the year was 185; the number filed was 392; the number disposed of was 388, leaving 189 pending at the end of the year. The average duration of the appeals disposed of was 181.9 days against 176.6 days in 1938-39

P A R T III.

MISCELLANEOUS

1. INCOME OF THE DEPARTMENT AS A WHOLE:-

The receipts and charges for the year under report and the previous three years are shown below:-

Year	Receipts	Charges	Savings
1939 - 40	10,41,310-15-8	8,29,559-9-11	2,11,751-5-9
1938- 39	10,47,973- 0-0	8,33,624-6- 5	2,14,348-9-7
1937 - 38	10,66,461- 4-7	7,99,817-9-11	2,66,643-10-8
1936 - 37	11,80,984- 9-3	8,16,169-6- 4	3,64,815-2- 11

2. PROCESS DEPARTMENT:-

The figures in the last preceding paragraph include the receipts and charges of the Process Department, which are separately shown in the table below with the number of processes issued:-

Year	No. of Processes issued.	Receipts	Charges	Savings.
939-40	2,01,900	1,54,712-11-0	1,52,265-11-2	2,446-15-10
938-39	1,98,765	1.58.245-3-0	1,50,757-6- 9	7,487-12- 3
937-38	2,18,382	1,76,383- -0	1.50.228-12-6	26,154- 5- 6
936-37	2,21,801	1,80,200- 8-0	1,47,532-8- 0	32,668- 0 -0

It will be observed that the receipts in 1939-40 were practically no more than the charges, which is the correct position when fees are levied from the public for such a service.

3. RENTED BUILDINGS:-

For 2 Courts buildings were rented, viz:-

	Monthly rent.
(1) Munsiff's Court, Kolar Gold Fields	Rs.155/-
(2) Munsiff's Court Davangere.	Rs. 75/-

For the Mandya Munsiff's Court, for which a building was rented in previous years, accommodation was provided in the new District Buildings at Mandya.

4. VILLAGE MUNSIFFS' COURTS:-

As shown below the number of Village Munsiffs' Courts in existence at the end of the year under report was 116 against 123 at the end of the previous year:-

DISTRICTS.	--NUMBER OF COURTS-- In existence at the beginning of the year.	Newly established	Abolished.	In Existence at the end of the year.	In which no suit was filed.	Others which did no work.	Which tried cases.
Bangalore	19	-	-	19	11	5	7
Kolar	39	-	-	39	6	-	33
Tumkur	13	-	-	13	3	3	9
Mysore	15	-	7	8	5	1	3
Mandya	7	-	-	7	4	-	3
Hassan	6	-	-	6	1	1	5
Shimoga	7	-	-	7	1	-	6
Kadur	3	-	-	3	-	-	3
Chitaldrug	14	-	-	14	-	-	14
TOTAL:-	123	-	7	116	31	10	83

The work done during the year by the Village Munsiffs was reviewed separately, and a copy of the review has been forwarded to the Government.

5. WORK IN THE CENTRAL RECORD ROOMS:-

The number of case records received in the Central Record Rooms during the year under report was 1,03,027. In the Bangalore Division 44,815 records were destroyed, in the Mysore Division 67,056 and in the Shimoga Division 28.693. It is reported that stamps in all the records received in the Central Record Rooms were punched.

6. SECURITIES:-

Most of the officials required to give security under the rules are reported to have done so, and necessary steps are being taken in cases in which security has not been given or the security given is insufficient. This matter is, as usual, receiving attention at inspections of Courts and also at the time of audit of accounts of Courts by the Civil Court Auditors.

7. LIBRARY:-

The High Court Library continues to be maintained well; but in many of the subordinate Courts recent editions of text-books, which are necessary, are not available. Some special provision is required for this, as the usual budged allotments are very insufficient.

8. LEGAL PRACTITIONERS:-

(i) Advocates:-

[illegible] Advocates enrolled in the year was 13 against 12 in the previous year. Seven Advocates were struck off the roll. At the end of the year the number on the roll was 557, of whom 57 were from the Madras Presidency.

(ii) Pleaders:-

The total number of Pleaders on the last day of the year was 661 against 639 at the end of the previous year, including those

who had yet to renew their certificates. The number of Pleaders newly enrolled ~~xx~~ during the year was 22; and 9 Pleaders were enrolled as Advocates.

9. OFFICIAL RECEIVERS:-

There is a permanent post of Official Receiver for the Bangalore Division. The term of the Official Receivers, who were appointed temporarily for the Mysore Division and the - Shimoga Division from 1st September 1937, was extended by another year from 1st September 1939.

10. STOCK REGISTERS:-

The several stock Registers in the High Court Office were maintained properly and up-to-date. They were being periodically verified; no deficiency nor excess was noticed,. Reports to a similar effect have been received from the District Judges in regard to furniture and libraries. Some of the Courts, which were poorly equipped with furniture, were supplied with additional articles of furniture so far as the allotments permitted; but some special provision is necessary, as the usual budget allotments are insufficient.

11. INSPECTION OF COURTS:-

(a) By the Judges of the High Court:-

The Judges of the High Court inspected 28 Civil Courts during the year; and Mr. Justice S. Venkata Ranga Iyengar inspected the High Court Office.

(b) By the District Judges:-

The District Judge of Bangalore inspected all the Munsiffs' Courts in his Division. The District Judge of Mysore inspected the Court of the Second Munsiff of Mysore and the Courts of the Munsiffs of Holenarsipur and Hassan. The District Judge of Shimoga inspected only the Munsiff's Court at Davangere; but all the Courts in his Division were inspected by a Judge of the High Court.

(c) Notes regarding inspections of subordinate Courts made by District Judges were received in the High Court and scrutinised, and instructions issued whenever necessary.

(d) The District Judges of Bangalore and Mysore report that stamps in the records of various Courts inspected by them were checked and reports sent to the Commissioner of Stamps The District Judge of Shimoga reports that the inspection of stamps was not undertaken during the year under report.

T. Shamiengar
REGISTRAR.

S T A T E M E N T "A".

ng the Ordinary and Small Cause Suits filed and disposed of in th several Civil Courts in the State during the year 1939-40 and pending at the close of theyear.

Filed			For Disposal			Dispose of														
						Contested				Uncontested				Total				Pending		
O.S	S.C	Total	O.S	S.C	Total	O.S	S.C	Total	Average duration days	O.S	S.C	Total	Average duration days	O.S	S.C	Total	Average duration days	O.S	S.C	Total
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
40	-	40	103 10	-	103	42	-	42	507.9	7	-	7	220.5	21 28	-	49	344.04	54	-	54
20	-	20	45	-	45	9	-	9	743.57		-	4	177.5	13	-	13	424.70	32	-	32
13	-	13	60	-	60	9 25	-	9 25	951.			7	205.57	41	-	41	906.72	19	-	19
73	-	73	208	-	208	85	-	85	...	18	-	18	...	103	-	103	...	105	-	105
137	-	137	248	-	248	71	-	71	401.1	59	-	59	142.8	135 5	-	139	283.9	118	-	118
-	3004	3004	-	3648	3648	-	713	713	130.6 [illegible]		2373	2373	51.4	-	2986	2986	70.3	-	662	662
15	-	15	24		24	10	-	10	449.2	7	-	7	59.4	17	-	17	288.7	7	-	7
62	-	62	131		131	43	-	43	442.91	25	-	25	99.65	68	-	68	270.94	63	-	63
-	1760	1760	-	2143	2143															

1. -do- Chickmagalor.	24	-	24	45	-	45	14	-	14	89.71	7	-	7	84.14	21	-	21	399.19	24	-	24	
Total..	288	5173	5461	539	6400	6048	173	1244	1417	...	109	3862	3971	...	282	5106	5388	...	297	1303	1560	
nsiffs' Courts.																						
& Bangalore Dvn.																						
1st Munsiff, Bangalore..	595	-	595	949	-	949	274	-	274	342.1	335	-	335	72.2	609	-	609	193.6	340	-	340	
cond Munsiff, Bangalore..	619	-	619	944	-	944	333	-	333	282.5	353	-	353	55.3	686	-	686	165.6	258	-	279	
nsiff, Closepet..	594	167	761	908	199	1107	244	17	261	244.7	428	14	374	72.4	762	163	835	123.6	236	36	272	
do- Dodballapur.	434	199	623	684	252	936	267	39	306	395.6	201	11	350	61.03	468	197	665	173.6	216	55	271	
-do- Kolar Gold Fields ..	344	546	890	953	2004	2957	328	312	640	246.02	478	15	2049	53.1	806	1880	2686	98.7	147	124	271	
-do- Chickballapur with Tempy.Addl, Munsiff ..	307	234	741	848	313	1161	328	70	398	320.8	272	16	457	65.7	517	225	855	188.7	248	58	306	
irst Munsiff, Kunkur, with Addl. irst Munsiff cum d Magte and Tempy. ddl.Munsiff of the irst & Second nsiffs' Courts..	509	340	945	908	432	1340	212	58	270	340.00	351	21	608	62.06	83 522 11 30	30 312 - 3	878	142.5	345	117	462	
econd Munsiff, nkur, with Tempy. dl.Munsiff of the rst & Second nsiffs' Courts..	772	310	1082	1080	357	1437	242	16	258	34.5	303/260		763	69.2	735 10	276	1021	237.3	335	81	416	
nsiff, Madhugiri.	658	491	1149	936	588	1524	283	69	352	261.1	313	399	712	48.2	596	468	1064	118.7	340	130	430	
Total..	5009	2681	8690	9301	4630	13913	2751	644	3395	315.3	3845	3297	7142	52.9	6300	3941	10237	141.7	2705	669	3374	
siffs' Courts.																						
ysore Dvn.																						
t Munsiff, Mysore ..	795	-	795	1150	-	1150	289	-	289	511.06	432	-	432	62.80	721	-	721	286.43	429	-	429	
nd -do- ..	498	-	498	805	-	805	233	-	233	293.24	249	-	249	87.08	482	-	482	190.81	323	-	323	
iff, Seringa-patam .	563	352	915	838	429	1267	191	30	221	293.00	404	323	727	60.89	505	353	948	177.39	243	76	319	
Mandya..	947	453	1400	1404	602	2006	259	52	311	263.55	778	431	1189	67.85	1017	483	1500	165.70	387	119	506	
Nansur..	432	203	635	726	242	968	195	11	206	308.31	280	178	458	76.34	457	189	664	192.32	251	53	304	
Nanjangud.	1061	476	1537	1832	564	2396	408	56	464	234.87	935	386	1321	67.62	1343	442	1785	151.09	489	122	611	
Hole-Narsipur	604	273	877	870	337	1207	213	18	231	260.81	411	247	658	68.12	624	265	889	164.46	246	72	318	
Hassan..	786	501	1287	1152	581	1733	266	53	319	281.46	578	431	1009	61.64	844	484	1328	171.30	308	97	405	
Total..	5686	2258	7944	8777	2755	11532	2054	220	2274	305.86	4047	1996	6043	64.15	6101	2216	8317	187.43	2676	539	3215	
s' Courts																						
noga Division																						
iff, Shimoga, ddl.Munsiff ga, and icio Addl. f.Shimoga.	426	341	769	725	412	1137	208	40	317	340.44	173	272	445	61.27	441	321	762	177.41	284	91	375	
	-	-	-	40	-	40	37	-	37	510.45	3	-	3	45.66	40	-	40	475.6	-	-	-	
	-	-	-	10	-	10	9	-	9	451.10	-	-	-	-	9	-	9	451.11	1	-	1	

[illegible]	230	96	316	347	139	486	127	25	152	235.44	112	74	186	85.81	239	99	338	152.99	108	40	148
Total ..	2644	1249	3893	4128	1576	5704	1398	223	1611	275.47	1515	1038	2553	58.84	2003	1261	4164	142.65	1225	315	1540
Munsiffs' Courts.																					
ptal for Bangalore Division..	5909	2681	8590	9301	4630	13931	2751	644	3395	315.53	345	3297	7142	38.0	6506	3941	10537	141.7	2705	689	3394
-do- for Mysore Division..	5686	2258	7944	8777	2755	11532	2054	220	2274	305.00	447	1996	6043	64.15	6101	2216	8317	187.43	2676	539	3215
-do- for Shimoga Division..	2644	1249	3893	4128	1576	5704	1398	223	1611	275.47	515	1038	2553	58.84	2003	1261	4164	142.65	1225	315	1540
Grand Total for Munsiffs' Courts..	14239	6188	20427	22206	8961	31167	6193	1087	7280	292.03	1307	6331	15738	62.2	15600	7418	23018	158.39	6606	1543	8149
Total for Subordinate Judges' Courts	288	5173	5461	539	6409	6948	173	1244	1417	223.7	109	3862	3971	58.3	282 200 5106	5388		126.74	257	1303	1560
Total for District Judges' Courts ..	73	-	73	308	-	308	85	-	85	772.6	18	-	18	209.1	103	-	103	673.34	105	-	105
GRAND TOTAL ...	14600	11361	25961	22953	15370	38323	6451	2331	8782	285.6	94	10193	19727	61.1	15985	12534	28519	154.27	6968	2846	9814

HIGH COURT OF MYSORE,
BANGALORE,
DATED. ~~5th September~~ 16-11- 1940

KVN/4.

T. Shamiengar
REGISTRAR.

STATEMENT " C "

Statement showing the number of Regular Appeals dealt with during the year 1939-40 in the several Appellate Court Subordinate to the High Court

	Opening balance.	Filed including refiled etc.,	Total.	Transferred.	Number for disposal.	Disposed of			Average duration.	Pending.
						Contested.	Uncontested	Total		
1	2	3	4	5	6	7	8	9	10	11
District Judge, Bangalore.	138	103	241	87	154	59	26	85	222.7	46
Additional District Judge, Bangalore.						13	5	23		
Subordinate Judge, Bangalore.	43	223	266	2	264	2	-	2	419.5	
Additional -do- -do-						237	15	252	195.5	10
Additional Subordinate Judge, Kolar.(I Class Magistrate).	96	97	193	3	190	149	20	169	222.2	21
Additional Subordinate Judge, Tumkur.	82	160	242	14	228	136	6	142	196.4	86
Judge, Court of Small Causes, Bangalore.	7	39	46		46	25	1	26	159.	20
Total.	366	622	988	106	882	623	73	699	205.6	183
District Judge, Mysore.	101	337	438	243	195	15	10	25	512.92	170
Subordinate Judge, Mysore.	134	118	252	1	251	86	10	96	326.43	155
Additional Subordinate Judge, Mysore.	123	140	263	2	266	133	18	151	292.5	115
Additional Subordinate Judge, Hassan. (I Class Magistrate).	55	118	173	-	173	97	6	103	206.37	70
Total.	413	713	1131	246	885	331	44	375	334.55	510
District Judge, Shimoga, (including Additional District Judge, Shimoga).	280	143	403	124	279	59	14	73	618.45	120
						84	2	86		
ordinate Judge, Shimoga.	91	121	212	-	212	131	12	143	981.44	69
itional Subordinate Judge, italdrug.(I Class Magistrate)	79	97	176	-	176	90	5	95	349.18	81
itional -do- ikmagalur(I Class Magistrate)	136	84	220	-	220	76	11	87	543.17	133
Total	586	445	1011	124	887	440	44	484	659.31	403
Grand Total.	1350	1730	3130	476	2354	1397	161	1558	377.03	1096

Court of Mysore, angalore.
16-11-40

J. Shamiengar
Registrar.

ANNUAL JUDICIAL STATEMENT NO.I (CIVIL).

Statement showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Juri diction in the ~~xs~~ Mysore State on the last day of the year 1939-40 with the cost of Tribunals.

NAME OF PROVINCE	Area	Population	No. of Divisions for Courts under High Ct. but superior to Chief Cts. of Districts.	Number of Districts	Number of Sub-Districts	Total No. of Officers exercising original or Appellate Jurisdiction. Judges of High Court of province	Judges of other Courts superior to Chief Dt.Cts.	Judges of Chief Cts. of Districts.	Judges of District Cts. other than Chief Courts.	Judges of other Subordinate Courts.	Total number of cases decided -Original- Regular	-Original- Miscellaneous	-Appe- llate Regular	-Appe- llate Miscellaneous	Total Receipts of the Courts	Total Charges of the Courts	REMA
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
MUNSIFFS' COURTS											3018	44374			636627-10-7	125182-6-3	Savi 211448
SUBORDINATE JUDGES' COURTS (Including Additional Subordinate Judges')..											5388	10754	1266	257	204583-10-0	99440-11-1	105142
DISTRICT JUDGES' COURTS (Including ADDITIONAL DT. JUDGES). ..											103	933	292	131	138168-10-1	136020-8-9	2148
HIGH COURT OF MYSORE ..	29312 Square miles.	6423189			6								487	631	61931-1-0	168915-15-0	Loss 106984
GRAND TOTAL..	29312 Square miles.	6423189			6			5	40	[illegible]		56061	2045	1019	1041310-15-8	829559-9-11	Net Rs.21

High Court of Mysore,

Bangalore,

16-11-

Dated ~~4th October~~ 1940.

J Thamiengar

REGISTRAR.

BR/3.

ANNUAL JUDICIAL STATEMENT NO.VIII (CIVIL).

Statement showing the number and the value of Suits instituted in the Civil Courts in the Mysore State during the

Y e a r 1939-40.

***

- C O U R T S -	-NUMBER OF SUITS INSTITUTED IN THE DIFFERENT COURTS-									
	Not exceeding Rs.10	Not exceeding Rs.50	Not exceeding Rs.100	Not exceeding Rs.500	Not exceeding Rs.1000	Not exceeding Rs.5000	Not exceeding Rs.10000	Exceeding Rs.10000	Number of suits the value of which cannot be estimated in money	Total Value of Suits.
1	2	3	4	5	6	7	8	9	10	11
CIVIL COURTS.										
Munsiff Courts ...	840	5789	4628	5786	1255	580	-	-	549	3907311.14.8
Subordinate Judges' Courts, including Additional Subordinate Judges Courts' ...	82	1577	1530	1987			56	-	12	1731307.2.9
District Judges' Courts Including Additional District Judges ...	-	-	-	2		5	4	51	7	1692736.15.7
GRAND TOTAL ...	922	7366	6158	8775	126[illegible]	798	60	51	568	*7331356-1-[illegible]

* 7331356-1-0
suits institu

High Court of Mysore,
Bangalore,
Dated ~~4th October~~ 1940

T. Srinivasan
REGISTRAR.

Annual Judicial Statement No. IX.(Civil).

Statement showing the general results of the trial of civil cases in the Courts of Original Jurisdiction in the Mysore S

during the year 1939-40.

Part I - Civil Suits.

Class of Courts.	Total number of suits before the Courts.	Number of suits disposed of: By transfer to Courts in other Provinces.	Without contest: Without trial.	Compromise.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	On reference to arbitration.	With contest: For Plaintiff.	For Defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	Number of cases pending for more than three months.	Average duration of suits: Contested.	Uncontested.	Re
1	2	3	4	5	6	7	8	9	10		11	12	13	14	15	16	
Civil Courts.																	Di sa
Munsiffs' Courts.	31167	-	364	1518	5337	8352	165	3			5376		1608	8149	4655	292.08	62.2	23
Subordinate Judges' Courts.	6948	-	112	319	1372	2161	7	-			1183		234	1560	505	223.7	58.8	5
District Judges' Courts.	208	-	4	10	3	1	-	-	-		45		40	105	80	772.3	200.1	
Grand Total.	38323	-	480	1847	6712	10514	172	3	-		6904		1877	9814	5240	285.6	61.1	28

High Court of Mysore,
Bangalore.
16-11-40

T. Lakshmanna
Registrar.

Annual Judicial Statement No. IX.(Civil).

Statement showing the general results of the trial of civil cases in the Courts of Original Jurisdiction in the Myso during the year 1939-40.

Part I - Civil Suits.

Class of Courts.	Total number of suits before the Courts.	Number of suits disposed of: By transfer to Courts in other Provinces.	Without trial.	Without contest: Compromise.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	On reference to arbitration.	With contest.	Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	Number of cases pending for more than three months.	Average duration of suits.	
														Contested.	Uncontested.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Civil Courts.															
Munsiffs' Courts.	31167	-	364	1518	5337	8352	165	3		5676	1603	8149	4655	292.03	62.2
Subordinate Judges' Courts.	6948	-	112	319	1372	2161	7	-		1183	234	1560	505	223.7	58.8
District Judges' Courts.	208	-	4	10	3	1	-	-		45	40	105	80	772.8	200.1
Grand Total.	38323	-	480	1847	6712	10514	172	3	-	6904	1877	9814	5240	285.6	61.1

High Court of Mysore,
Bangalore.
14-11-40

T. Kanniengar
Registrar.

STATEMENT "D".

Statement showing the quinquennial statistics of institutions and disposals of suits and Regular Appeals in the Subordinate Civil Courts in the State during

1939 - 40.

"""

YEARS	--INSTITUTIONS--			-- DISPOSALS --			-- PENDING --			Average duration in days.
	Ordinary Suits	Small Cause Suits	Regular Appeals	Ordinary Suits	Small Cause Suits	Regular Appeals	Ordinary Suits	Small Cause Suits	Regular Appeals	
1	2	3	4	5	6	7	8	9	10	11
1935 - 36	15358	20551	1714	19498	20040	1493	8481	4155	1909	403.9
1936 - 37	16406	18038	2190	17891	18632	1905	7795	3633	1547	430.9
1937 - 38	16356	16505	1796	17304	16787	1574	7511	3341	1437	130.2
1938 - 39	15336	13884	1611	15932	13236	1513	7676	3986	1350	152.4
1939 - 40	14600	11361	1780	15985	12524	1558	6968	2846	1096	165.5

High Court Of Mysore,
- BANGALORE -
16-11-
Dated ~~28th September~~ 1940.

J. Shamianga
REGISTRAR.

BR/3.

ANNUAL JUDICIAL ST

Statement showing the general results of the trial

PART- II -- CIVIL M

CLASS OF COURTS.	NUMBER OF SUITS DISPOSED OF									
			Without Contest				On Reference to arbitration	With		
	Total number of suits before the Courts.	By transfer to Courts in other Provinces.	Without Trial	Compromised	Decreed on Confession	Decreed	Ex-parte	For Plaintiff	For Defendant	Judgment for Plaintiff in whole or in
1	2	3	4	5	6	7	8	9	10	11
CIVIL COURTS.										
Munsiffs' Courts ...	10,782		619	110	995	2,947	66	-	-	1,203
Subordinate Judges' Courts (Including Additional Subordinate Judges' Courts) ...	1,918	-	135	8	453	124	3	-	-	273
District Judges' Courts (Including Additional District Judges' Cts.)...	820	-	70	9	47	86	6	-	-	137
GRAND TOTAL...	13,520	-	824	127	1495	3157	5	-	-	1613

High Court of Mysore,

BANGALORE,

Dated ~~27th September~~ '40.

BR/3.

TEMENT NO.IX (CIVIL).

of Civil Cases in the Courts of Original Jurisdiction in the Mysore State during the year 1939-40.

SCELLANEOUS CASES.

Contest			Average duration of Suits.		
Judgment for Defendant.	Pending at the close of the year.	No. of cases pending for more than 3 months	Contested	Uncontested	R E M A R K S.
12	13	14	15	16	17
					Disposed of
1,594	2,948	1,964	-	-	7,834
285	567	268	-	-	1, 351
94	361	241	-	-	459
973	3876	2473	-	-	9,644

REGISTRAR

ANNUAL JUDICIAL STATEMENT 7.—(CIVIL) E.

Statement showing the number and description of Civil Suits instituted in the Civil Courts in the Mysore State ---------- in the year 193 9-40

Class of tribunals	1	Suits for money or movable property: 2 Contract in writing	3 Contract not in writing	4 On account stated	5 Money had and received	6 Goods sold	7 Wages, work and materials	8 Breach of contract not mentioned above	9 Rent not falling under the Rent Law	10 Movable property or value thereof	11 Damages	Suits for immovable property: 12	13 Suits for declaratory decrees	14 Other suits under the Specific Relief Act	15 Suits to declare and establish rights to real property, including pre-emption, foreclosure, etc.	16 Suits to declare and establish personal rights	17 Suits for an account	18 Suits relating to religious endowments	19 Suits to set aside judgments, contracts or obligation on the ground of fraud	20 Suits for dissolution of marriage	21 Suits for enforcement of matrimonial rights	22 Suits for partition	23 Suits relating to shipping	24 Suits relating to religion and caste	25 Administration reports	26 Interpleader suits	27 Dissolution of partnership	28 Suits under Section 261, Act X of 1865 (also Hindu Wills Act)	29 Other suits not falling under any of the previous heads	30 Grand Total	31 Remarks
CIVIL COURTS															Title and other suits															
Village Courts		14,591	628	680	39	805	9	9	733	84	115	989	517	54	240	109	11	--	24	--	33	85	--	--	--	--	--	3	1	668	20,427	
Small Cause Court		3930	149	327	60	685	22	--	176	11	6	16	29	3	5	3	--	3	4	--	--	18	--	--	--	--	--	4	--	13	5461	
Munsiffs' Courts		21	-	1	1	-	-	-	-	-	4	4	16	-	1	-	1	3	2	--	--	4	--	--	--	--	--	--	7	6	73	
Subordinate Judges' Courts ...																																
District Judges' Courts ...																																
High Court																																
Total ...																																
Grand Total ...		18,542	777	1008	100	1490	31	9	909	95	125	1009	562	57	246	112	12	3	30	--	33	107	--	--	--	2	-	7	8	687	29,961	

High Court of Mysore,
Bangalore, dated 27th Sept. 1940.

R/3.

J. Manjunatha
REGISTRAR.

WD 0732—GPB—200—5-11-34

ANNUAL JUDICIAL STATEMENT NO.X (Civil).

Statement showing the business of Civil Appellate Courts in the Mysore State during the yea
1939-40 - PART I - Appeals from Decrees.

-CLASS OF COURTS-	Total number of appeals before the Court	Transferred to Courts in other Provinces	Appeals summarily rejected	Dismissed for default or otherwise not prosecuted	-Heard Ex-parte- Confirmed	Modified	Reversed	Remanded	Contested Confirmed	Modified	Reversed	Remanded	P e n d i n g	Pending more than three months	Average duration of Appeals	Objection filed	R E M
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
APPEALS FROM DECREES																	
ubordinate Judges' ourts .. .. including Addi- tional Sub-Judges' Courts)	728	-	6	28	4	3	1	-	324	69	115	41	137	104	202.5	15	591
ubordinate Judge, ysore, (including dditional Sub- udges' Cts. of ysore & Hassan)..	690	-	3	22	7	1	1	-	180	46	63	27	340	247	275.48	12	350
ubordinate Judge, himoga, (including dditional Sub- udges' Cts. of hikmagalur and italdrug	-	-	-	21	7	-	-	-	167	47	69	14	283	254	680.14	3	325
otal for Sub- dges Courts	2026	-	9	71	18	4	2		671	162	247	82	760	605	345.29	30	1266
istrict Judges' ourts (Including ditional Dist. udges.. ..	628	-	9	42	3	-	3	-	149	42	31	13	336	275	463.04	3	292
gh Court	1748	-	-	58	107	-	-	-	179	42	89	12	1261	1140	650.1	6	487
AND T O T A L ..	4402	-	18	171	128	4	5	-	999	246	367	107	2357	2020	434.4	39	2045

High Court of Mysore,
Bangalore, dated ~~5th October~~ 1940.
--- 16-11-

ANNUAL JUDICIAL STATEMENT NO. X (Civil).

Statement showing the business of Civil Appellate Courts in the Mysore State during the year 1939 - 40.

PART II -- APPEALS FROM ORDERS.

***

-CLASS OF COURTS-	Total number of appeals before the Court.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard Ex-parte: Confirmed	Heard Ex-parte: Modified	Heard Ex-parte: Reversed	Heard Ex-parte: Remanded	Heard Contested: Confirmed	Heard Contested: Modified	Heard Contested: Reversed	Heard Contested: Remanded	Pending	Pending more than three months.	Average duration of appeals	Objection filed.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
APPEALS FROM ORDERS																
Subordinate Judges' Courts (Including Additional Subordinate Judges) ...	356	-	4	27	4	-	1	1	129	4	73	14	99	64	186.9	-
District Judges' Courts (Including Additional District Judges) ...	221	-	9	25	6	-	-	-	58	5	20	8	90	68	174.19	-
High Court ...	86	-	-	7	-	-	-	-	37	1	14	5	22	14	156.61	-
GRAND TOTAL ...	663	-	13	59	10	-	1	1	224	10	107	27	211	146	178.2	-

High Court of Mysore,
BANGALORE
DATED 5th ~~OCTOBER~~, 1 9 4 0.

ANNUAL JUDICIAL STATE

Statement showing the result of Proceedings on applications f

CIVIL COURTS.	3	4	5	6	7	8	9	10	11	12	13
	Total number of applications for the execution of decrees before Cts	Applications disposed of						Number			
		-By Transfer-	Satisfaction Obtained in full	Satisfaction Obtained in part	-Wholly infructuous-	Pending at the end of the Year.	No. of applications pending more than three months at the end of the year.	Amount -realised	On which the Judgment-debtor was imprisoned	On which he was arrested but released without Imprisonment.	On which movea property. - Was sold	was attached but subsequent
		as. ps.										
Munsiffs' Courts ..	54741	678	6275	5380	23557	18351	13215	2039280-11	- 3	31	271	146
Subordinate Judges' Courts including Small Cause Court, Bangalore, Additional Subordinate Judges' Courts, Kolar, Mysore, Hassan, Chitaldrug and Chikmagalur ..	13789	962	764	1583	5946	4534	3028	574291-8-	3	32	310	23
District Judges' Courts	692	3	64	61	322	242	199	506244-15-	11	1	1	4
GRAND TOTAL ..	69222	1643	7103	7524	29825	23127	16442	3119817-3-	5	64	582	173

												52
												91
												4
												621

HIGH COURT OF MYSORE,
-BANGALORE-

Dated ~~28th September~~ 1940.
16—11—

(C I V I L).

ution of Decrees of the Civil courts in the Mysore State during the year 1939 - 40.

p p l i c a t i o n s.							
On which immoveable - Property-		On which Possession was given		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding Columns	R E M A R K S.
was dealt with under O.21 R.83 Sec.111 Para 2 Section 72 C.P.C.	was attached but subsequently released under Order XXI R. 55	-Of moveables-	-Of immoveables-				
15	16	17	18	19	20	21	22
							DISPOSED OF
18	470		299		11		36390
10	8	-	31	-	3		9255
	5	2	3	-	-		450
28	483	7	333	2	14	1	46095

J. Shamiengar
REGISTRAR.

ANNUAL JUDICIAL STATEMENT NO. XII (CIVIL).

Statement showing the number and result of Application and Proceedings under the Mysore Insolvency Act No. ~~XXX~~ ~~XII~~ of 1925 in the Mysore State during 1939-40.

CLASS OF COURTS	Applications for a declarationof insolvency							Pending Proceedings at the close of the year.	Number of insolvents discharged during the year under Section 355.	Number of Insolvents' Estates in the hands of the Receiver, in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year		Gross amount of insolvents assets realized and disbursed		REMARKS.
	Total number for hearing	Transferred to another Province, withdrawn etc.,	Granted		Rejected						Admitted	Satisfied	Realised during the year	Disbursed during the year	
			A Receiver being appointed	A Receiver not being appointed	Penal Proceedings under Section 359 not being taken	Sentence of imprisonment being passed under Section 359	Applicant being sent to the Magistrate to be dealt with								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Munsiffs' Courts	193	35	10	99	6	-	-	43	124	7	22,453- 8-9	16,687- 8-9	14,386-13- 0	13,868-13- 0	Disposed of 170 ~~152~~
Subordinate Judge's Courts	208 ~~W~~	50	49	49	-	-	-	60	49	6	- - -	-	8,625-14- 6	12,027- 9- 3	148
District Judges' Courts.	43	14	7	2	1	-	-	19	6		9,204-12-4	1,026- 6-8	1,311- 6- 8	2,389- 6- 8	24
TOTAL..	444	99	66	150	7	-	-	122	179	13	31,678- 5-0	17,713-15-5	24,224- 2- 2	28,285-12-11	322

HIGH COURT OF MYSORE,
BANGALORE,
DATED: ~~27th~~ September 1940
16-11-

J. Thamiengar
REGISTRAR.

EVN/3.
27/9.

SPECIAL STATEMENT No. II—(CIVIL). dealt with

Statement showing the nature and number of applications in the Mis. Mysore State during 1939 —1940.

WD 02385—GPB—150--19-10 38

Class of Courts	Plaints rejected or returned before registration	For setting aside orders of dismissal of suits under O. V. R. 26 O. IX, R. 2 and O. IX, R. 8, C. P. C.				For setting aside ex-parte decrees under O. IX, R. 6. of C. P. Code				For review of judgment or new trial				Pauper applications				Remarks
		Filed	Granted	Rejected	Pending	Filed	Granted	Rejected	Pending	Filed	Granted	Rejected	Pending	Filed	Granted	Rejected	Pending	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Munsiffs' Courts:-		569	170	219	180	1841	547	654	640	84	15	9	30	428	161	101	166	Pending 1016
Subordinate Judges' Courts:-																		
Including Addl. Sub. Judges' Courts.	-	187	75	59	53	411	160	148	103	55	18	21	16	90	25	28	37	Pending 209
District Judges' Courts:-																		
Including Addl. District Judges' courts	-	28	5	6	17	9	2	2	5	10	-	4	6	44	18	5	21	Pending 49
Grand Total		784	250	284	250	2261	709	804	748	149	33	64	52	562	204	134	224	Total 1274

High Court of Mysore,
Bangalore, dated 27th Sept. 1940.)
6-11-

VJC/3

D. Thamiangan
Registrar.

SPECIAL STATEMENT NO. 3 (C I V I L).

STATEMENT SHOWING THE NUMBER AND DESCRIPTION OF SMALL CAUSE SUITS INSTITUTED DURING THE YEAR 1939 - 40.

****

CLASS OF COURTS.	--SUITS FOR MONEY OR MOVEABLE PROPERTY--											REMARKS.
	Contract in writing	Contract not in writing.	On accounts stated.	Money had and received	Goods Sold.	Wages Work & materials.	Breach of Contract not mentioned above.	Rent not falling under the Rent law.	Moveable property or value thereof.	Damages.	Other Suits.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Munsiffs' Courts..	4779	244	370	11	534	3	1	223	20		3	6188
Court of Small Causes, Bangalore												
Additional Subordinate Judge's Court Mysore, and Subordinate Judge's Court, Shimoga ...	3761	145	321	59	679	21	-	173	8	3	3	5173
GRAND TOTAL...	8540	389	691	70	1213	24	1	396	28	3	6	11,361

High Court of Mysore,

BANGALORE,
66 —11—
Dated, ~~27th September~~ 1940.

SPECIAL STATEMENT NO.IV (CIVIL).

Statement showing the number and value of SMALL CAUSE SUITS instituted during the year 1939-40.

Class of Courts.	Number and value of suits: Not Exceeding Rs.10/-.	Not Exceeding Rs.50/-	Not Exceeding Rs.100/-.	Not Exceeding Rs.500/-.	TOTAL.	VALUE.
1	2	3	4	5	6	7
Munsiffs' Courts ..	368	3670	2150	-	6188	3,30,958- 6-11
Court of Small Causes, Bangalore, Additional Subordinate Judge, Mysore, Subordinate Judge, Shimoga. ..	82	1577	1528	1986	5173	6,15,077- 4- 0
TOTAL:	450	5247	3678	1986	11,361	9,46,035-10-11

HIGH COURT OF MYSORE,
Bangalore,
Dated:27th September 1940

SPECIAL STATEMENT NO.5 (C I V I L).

Statement showing the number and value of Small Cause and Ordinary Suits disposed of during the year 193

CLASS of COURTS.	NUMBER OF SUITS DISPOSED OF -- Not exceeding Rs.10. Ordinary	Not exceeding Rs.10. Small Causes	Not exceeding Rs.50. Ordinary	Not exceeding Rs.50. Small Causes	Not exceeding Rs.100. Ordinary	Not exceeding Rs.100. Small Causes	Not exceeding Rs.500. Ordinary	Not exceeding Rs.500. Small Causes	Ordinary suits not exceeding Rs.1000	Ordinary Suits not exceeding Rs.5000	Ordinary Suits not exceeding Rs.10,000	Exceeding Rs. 10,000/-	Number of suits the value of which cannot be estimated in money	Total number of suits disposed of: Ordinary	Total number of suits disposed of: Small Causes	Total value of Suits. Ordinary	Total value of Suits. Small Causes
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Munsiffs' Courts..	518	534	2296	4453	2447	2431	7363	-	1355	553	-		1068	15600	7418	3690907-10-11	336452-15- 0
Subordinate Judges Courts including Small Cause Ct. Bangalore, & Additional Sub-Judges' Courts, Mysore, Hassan, Shimoga, Chitaldrug Chickmagalur & Kolar. ...	-	143	-	1696	-	1650	4	1617	1	202	46	-	29	282	5106	984823-5-1	670496-2
District Judges' Courts. ...	3	-	2	-	-	-	2	-	2	10	5	70	9	103		2311 55-1-4-4	
GRAND TOTAL..	521	677	2298	6149	2447	4081	7369	1617	1358	765	51	70	1106	15985	12524	6987287-14-4	1006949-1- 8

= Rs.7994237 -

High Court of Mysore,
Bangalore,
Dated ~~27th Septr.~~ 1940.
~~CS—11—~~

J. Shamiangu
Registrar

SPECIAL STATEMENT NO.6 (Civil).

Statement showing the general results of the trial of Small Cause Suits in the Civil Courts of the State during the year 1939 - 40.

CLASS OF COURTS.	Total number of suits before the Courts.	NUMBER OF SUITS DISPOSED OF --										Pending at the close of the year	Pending more than three months at the close of the year.	Average Duration.		REM
		Without Contest						On reference to arbitration		With Contest.				Contested.	Uncontested.	
		Transferred to other Courts.	Without Trial	Compromised	Decreed or Confession	Decreed Ex-parte	Dismissed Ex-parte	For Plaintiff	For Defendant	Judgment for Plaintiff in whole or part.	Judgment for Defendant					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
Munsiffs' Courts..	8961	-	150	481	1890	3729	80	1	-	895	192	1543	551	204.9	55.7	74
Subordinate Judge's Court, Shimoga, including Small Cause Court, Bangalore, and Additional Sub Court, Mysore ...	6409	-	102	291	1321	2142	6	-	-	1053	191	1303	593	151.2	55.5	51
GRAND TOTAL...	15370	-	252	772	3211	5871	86	1	-	1948	383	2846	1144	176.2	55.7	125

High Court of Mysore,
Bangalore,
Dated ~~27th September~~ 16-11- 1940.

REGISTRAR.

STATEMENT 'B'.

Statement showing the number of suits for disposal, disposed of and pending by years, during the year 1939

CLASS OF COURTS -	1926-27			1927- 28			1928 -29			1929- 30			1930 -31			1931- 32			1933 - 34			1934 - 35			1935 - 3		
	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.	O.	S.	S. C.
Munsiffs' Courts:-																											
For Disposal ..				1		1			2			3			7			13	1		15	1		38	1		
Disposed of ..				1		-			2			3			4			2	1		15	1		35	1		
Pending ..				-		1			-			-			3				-		-	-		3	-		
Total for Sub-Judges' Ct (Including Additional Sub-Judges Courts and Court of Small Causes)																											
For Disposal ..																									2		2
Disposed of ..																									2		2
Pending ..																									-		-
Total for District Judges' Courts:																											
For Disposal ..																						5			6		
Disposed of ..																						3			6		
Pending ..																						2			-		
GRAND TOTAL:-																											
For Disposal ..	1			1		1			2			3			8			14	1		20	1		46	3		
Disposed of ..	1			1		-			2			3			5			13	1		18	1		43	3		
Pending ..	-			-		1			-			-			3			1	-		2	-		3	-		

High Court Of Mysore,

Bangalore,

16—11-

Dated ~~21st October~~ 1940

1937 - 38		1938 - 39		1939 - 40		- TOTAL -		-GRAND TOTAL
O.	S.	S.	O.	O.	S.	S.	O.	
337	39	~~7297~~ 7294	2835	14432	6081	22206	8961	31167
301	39	7149	2829	8010	4545	15600	7418	23018
16	-	~~148~~ 145	6	6422	1536	6606	1543	8149
43	22	193	114	292	5191	539	6409	6948
37	22	144	119½	92	3880	282	5106	5388
6	-	49		200	1301	257	1303	1560
37	-	~~60~~ 67	-	72	-	208	-	208
24	-	36	-	18	-	103	-	103
13	-	~~38~~ 31	-	54	-	105	-	105
397	61	~~7558~~ 7554	4029	14796	11262	22953	15370	38323
362	61	7329	4021	8120	8425	15985	12524	28509
35	-	~~229~~ 225	8	6676	2837	6968	2846	9814

J. Shanmugam
REGISTRAR.

Appendix F G—1]

SUBJECT.....

.....

.....

Section Courts

File No. 122-40

Serial No. 1

Diary No. of letter replied to.....

No. P2762/Gen. Report + Statistics

To

General and Revenue Secretariat

( )

the *19*

The Superintendent

Govt printing

Bangalore

e of issue..... 25/11/40

Signed by ..... Asst. K.P.P.

Sir

I am directed to forward herewith one Copy of the Report on the Administration of Civil Justice in Mysore for the Year 939-40 together with the connected Statistical Statements, and to request that the same may be set up

List of enclosures.....

Copied by ..... Md.....

Examined by .....

type and two clean proofs sent to the Registrar High Court of Mysore

The report and the Statistical statements after being printed may kindly be bound along with the Govt review thereon which will arise in due course

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 25-11 November 1940.

142 CS-122-40-1.

Rep. & Statistics

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Superintendent,
Government Printing, Bangalore.

Sir,

I am directed to forward herewith one copy of the Report on the Administration of Civil Justice in Mysore for the year 1939-40 together with the connected statistical statements and to request that the same may be set in type and two clear proofs sent to the Registrar High Court of Mysore.

The report and the Statistical statements after being printed may kindly be bound along with the Government review thereon which will issue in due course.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- H.V. Narayana Rao,
Secretary to Government,
Law Department. P.T.O

Copy of the foregoing is forwarded with comp
ments to the Registrar, High Court of Mysore.

By order

for Secretary to Government,
Law Department.

GMG/

SUBJECT .....

.....

.....

Diary. No. of letter replied to.....

Section Cts

File No. 122-40

Serial No. 3

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue.....8/3/41.....193

Signed by ..... Mr. K. P. P.

Read—

Letter No P 35 Dt 16-11-1940 from the Registrar High Court Of Mysore forwarding the Report on the Adminis of Civil Justice in Mysore for the Year 1939-40.

Order thereon.—No. P 4578

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

year under review was 45 ~~against~~ (44) in ~~the previous~~ year. With the bifurcation of the Mysore District into two Districts viz Mysore and Mandya from 1st July 1939, the jurisdiction of the District Judge Mysore Division comprised the Revenue Districts of Mysore, Hassan and Mandya and the local limits of original Civil jurisdiction of the Subordinate Judge of Mysore included the Revenue Districts of Mysore and Mandya.

~~It is noticed that~~ There has been a steady decline in the total number of suits instituted in recent years and this is more marked during the year under revie

List of Enclosure

Copied by

Examined by

R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

The total number of Suits instituted in all the Civil Courts subordinate to the High Court during the year was 25,961 against 29,220 in 1938-39 32 861 in 1937-38 34444 in 1936-37 and 3690 in 1935-36. ~~Out~~ Of 25961 Suits instituted during the year under review, 14600 (15336) were ordinary and 11361 (13884) Small Cause Suits. The fall in the institution of Suits, and particularly ~~in~~ of Small Cause Suits is due to the operation of the Agriculturists' Relief Act and ~~to~~ ~~the~~ ~~Small~~ ~~Cause~~ ~~Court~~ of the Debt Conciliation Boards to a small extent. It is however noticed that the decrease in the volume of work of the Civil Courts as a consequence of the decline in the num

of suits instituted has been much less than the figures might suggest at first sight.

The total number of suits for disposal during the year under review was 38323 (40830) Of these 22953 (23608) were ordinary suits and 15370 (17222) Small cause suits. Of the 38323 suits for disposal, 28509 (29168) were disposed of, leaving a balance of 9814 (11662) suits pending at the end of the year. Govt are glad to note that there was an improvement in the disposal of suits

It is ~~satisfaction~~ satisfaction to note that there has been a steady improvement in the disposal of old

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

such suits left pending the end of the year under review was only 17 against 365 in 1938-39 392 in 1937-38, 622 in 1936-3 1555 in 1935-36 and 3786 i 1934-35. But the progres in this direction in some of the Courts ~~are~~ leaves much to be desired and it is hoped that every endeavour will be made to dispose of all the suits pending for more than a year unless it be for exceptional Reasons. There was an increase in the average duration of suits during the year under review viz 154 days ~~as against~~ (141 days) ~~during 1938-39.~~

12) Execution Applications

There was some reduc

WD 0280—GPB—22,500—14-3-38

in the total number of execution cases left pending at the close of the year under review. out of 69 282 (75 246) applications for execution of decrees, 64 095 (50 452) were disposed of leaving a balance of 23 127 (24 794) applications for disposal.

The percentage of applications which proved wholly infructuous was almost the same as in the previous year viz 64.7 ~~as against~~ (64.09.) There was however an improvement in the amount realised in execution during the year under review viz Rs 31, 19, 817-3-5 ~~as against~~ Rs 29, 12, 910-10-5 during 1938-39.

It is satisfactory to note that in addition to an appreciable reduction in the total number of execution cases left pending at the end of the year under review, the number of execution cases more than a year old was considerably reduced. At the end of the year it was 1539 as against 2093 at the end of the year 1938-39

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

~~the~~ appreciable a considerable decrease in the gross amount of insolvents' assets realised during the year under review viz Rs 24,224-2-2 against Rs 41399-13-6 in the previous year with a corresponding decrease in the amount disbursed to creditors viz Rs 28285-12-11 against Rs 36478-1-1 the year 1938-39.

Appellate Work:-

The total number of Regular Appeals filed down in the Dist Courts and Subordinate Judges' Courts fell from 1426 in the previous year to 1304 during the year under review. Of 2654 appeals (2800 for disposal, 1558 appeals (1513) were disposed of leaving a balance of 1096 (1350

0280—GPB—22,500—14-3-38

at the end of the year. There was an improvement in the disposal of such appeals in the Bangalore and Shim Divisions but in the Mysore Division the arrears were allowed to go up from 418 in the previous year to 510 during the year under review.

The average duration of Regular appeals disposed of ~~in~~ at ~~the~~ during the year under review was 377.0 days (364.47). ~~This is~~ ~~Higher than~~ high.

High Court

The post of the temporary Fourth Judge of the High Court was made permanent from 2nd January 1960.

Two additional Judges

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

ere appointed to the High
ourt as a temporary
measure for a period of
two years for the disposal
of the heavy arrears of
Second appeals which had accumulated
in the High Court.

There was an increase
in the number of
First and Second appeal
filed in the High Court
during the year under review
with the corresponding
increase in the number of
such appeals for disposal.

(373)

Out of 397 First appeals and
1351 (1231) Second appeals, for
disposal 139 (145) and 348
(331) First + Second appeals respectively were disposed
of leaving 258 (228) first
appeals and 1003 (900) Second
appeals pending at the end of
the year under review.

WD 0280—GPB—22,500—14-3-36

There has been an increase in the number of First and Second Appeals left pending at the end of the year under review. It is stated to be due to the fact that heavy criminal work left less time for Civil Work and Considerable time was also utilised for inspect Work.

There was also an increase in the average duration of First and Second appeal disposed of during the year. This was due to the fact that long pending appeals of the previous years were disposed of

Inspection :

The Judges of the High Court visited 28 Civil Court

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

The Dist Judge of Bangalore Division inspected all the Munsiffs' Courts in his division and the Dist Judge of Shimoga Division inspected only one Court in his division all the Other Courts having been inspected by a Judge of the High Court. The Dist Judge Mysore Division inspected Some of the Courts in his division.

The work of Civil Courts of a lesser was satisfactory.

Proceedings of the Government of H.H. the Maharaja of Mysore.

Read:-

Letter No. P.35, dated 16th November 1940 from the Registrar, High Court of Mysore, forwarding the Report on the Administration of Civil Justice in Mysore for the year 1939-40.

Order No.

1. R e c o r d e d.

2. Work of the Courts Subordinate to the High Court.

The total number of Civil Courts at the end of year under review was 45 (44). With the bifurcation of the Mysore District into two Districts viz., Mysore and Mandya from 1st July 1939, the jurisdiction of the District Judge, Mysore Division, comprised the Revenue Districts of Mysore, Hassan and Mandya and the local limits of original civil jurisdiction of the Subordinate Judge of Mysore included the Revenue Districts of Mysore and Mandya.

There has been a ~~steady~~ Steady decline in the total number of suits instituted in ~~xx~~ recent years and this is more marked during the year under review.

The total number of suits instituted in all the Civil Courts Subordinate to the High Court during the year was 25,961 -- against 29,220 in 1938-39, 32,861 in 1937-38 34,444 in 1936-37 and 36,909 in 1935-36. Of the suits instituted during the year

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The total number of suits for disposal during the year under review was 38323 (40830). Of these 22953 (23608) were ordinary suits and 15370 (17222) Small Cause suits. Of the 38323 suits for disposal, 28509 (29168) were dispose of, leaving a balance of 9814 (11662) suits pending at the end of the year. Government are glad to note that there was an improvement in the disposal of suits.

It is satisfactory to note that there has been a steady improvement in the disposal of old suits, and the number of such suits left pending at the end of the year under review was only 297 -- against 365 in 1938-39, 392 in 1937-38 622 in 1936-37, 1555 in 1935-36 and 3786 in 1934-35. But the progress in this direction in some of the Courts leaves much to be desired and it is hoped that every endeavour will be made to dispose

of all the suits pending for more than a year unless it be for exceptional reasons There was an increase in the average duration of suits during the year under review viz., 154 days(141 days).

3. Execution Applications.-

There was some reduction in the total number of execution cases left ~~pend~~ pending ~~ing~~ at the close of the year under review, Out of 69,222 (75246) applications for execution of decrees, 46095 (50452) were disposed of, leaving a balance of 23127 (24794) applications for disposal.

The percentage of applications which proved wholly infructuous was almost the same as in the previous year viz., 64.7 (64.09). There was, however, an improvement in the amount realised in execution during the year under review viz., Rs. 31,19,817-3-5 compared with Rs. 29,12,370-10-5 during 1938-39.

It is satisfactory to note that in addition to an appreciable reduction in the total number of execution cases left pending at the end of the year under review, the number of execution cases mor than a year old was also considerably reduced. At the end of the year it was 1539 against 2093 at the end of the year 1938-39.

4. Insolvency Applications.-

There has again been a considerable decrease in the gross amount of insolvents' assets realised during the year

under review viz., Rs. 24,224-2-2.agains Rs. 41,399-13-6 in the previous year, with a corresponding decrease in the amount disbursed to creditors viz., Rs. 28,285-12-11 against Rs.36,478-1-7 in the year 1938-39.

Appellate Work.

The total number of Regular Appeals filed in the District Courts and Subordinate Judges' Courts fell from 1426 in the previous year to 1304 during the year under review. Of 2654 appeals (2863 for disposal, 1558 appeals (1513) were disposed of, leaving a balance of 1096 (1350) at the end of the year. There was an improvement in the disposal of such appeals in the Bangalore and Shimoga Divisions, but in the Mysore Division the arrears were allowed to go up from 418 in the previous year to 510 during the year under review.

The average duration of Regular appeals disposed of during the year under review was 377.08 days (364.47).

High Court.

The post of the temporary Fourth Judge of the High Court was made permanent from 2nd January 1940.

Two additional Judges were appointed to the High Court as a temporary measure for a period of two years for the disposal of the heavy arrears of second appeals which had accumulated in the High Court.

There was an increase in the number of First and Second appeals filed in the High Court. Out of 397 (373) First appeals and 1351 (1231) Second appeals, for disposal, 139 (145) and 348 (331) First and Second appeals, respectively, were disposed of, leaving 258 (228) First appeals and 1003 (900) Second appeals pending at the end of the year under review. There has been an increase in the number of First and Second appeals left pending at the end of the year under review. This is stated to be due to the fact that heavy criminal work left less time for civil work and considerable time was also utilised for inspection work.

There was also an increase in the average duration of First and Second appeals disposed of during the year. This was due to the fact that long pending appeals of the previous years were disposed of.

Inspection.

The Judges of the High Court inspected twenty eight Civil Courts during the year. The District Judge of Bangalore Division inspected all the Munsiffs' Courts in his Division and the District Judge of Shimoga Division inspected only one Court in his Division all the other courts having been inspected by a Judge of the High Court. The District Judge, Mysore Division inspected some of the Courts in his division.

The work of Civil Courts of all classes was satisfactory.

Hm 2/20/41

Secy. to Govt.
Law Department.

To

The Registrar, High Court of Mysore.
Press Table.

N. B:- Figures for the previous year are shown in brackets after those pertaining to the year 1939-40.

CBn

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

Letter No.P.35 dated 16th November 1940 from the Registrar, High Court of Mysore forwarding the Report on the Administration of Civil Justice in Mysore for the year 1939-40.

Order No. P4578 CS-122-40-3

Dated, Bangalore the 8th March 1941.

(1) R e c o r d e d.

(2) Work of the Courts subordinate to the High Court:- The total number of Civil Courts at the end of year under review was 45 (44). With the bifurcation of the Mysore District into two Districts viz., Mysore and Mandya from 1st July 1939, the jurisdiction of the District Judge, Mysore Division comprised the Revenue Districts of Mysore, Hassan and Mandya and the local limits of original Civil jurisdiction of the subordinate Judge of Mysore included the Revenue Districts of Mysore and Mandya.

There has been a steady decline in the total number of suits instituted in recent years and this is more marked during the year under review. The total number of suits instituted in all the civil courts subordinate to the High Court during the year was -- 25,961 against 29,220 in 1938-39, 32,861 in 1937-38, 34,444 in 1936-37 and 36,909 in 1935-36. Of the suits instituted during the year under review, 14,600 (15,336) were ordinary and 11361 (13884) small cause suits. The fall in the institution of suits, and particularly of small cause suits, is due to the operation of the Agriculturists' Relief Act and of the Debt Conciliation Boards to a small extent. It is, however, noticed that the decrease in the volume of work of the Civil Courts as a consequence of the decline in the number of suits instituted has been much less than the figure might suggest at first sight.

The total number of suits for disposal during the year under review was 38,323 (40,830). Of these 22,950 (25,508) were ordinary suits and 15,370 (17,222) small cause suits. Of the 38,323 suits for disposal, 28,509 (29,168) were disposed of, leaving a balance

of 9,814 (11,662) suits pending at the end of the year. Government are glad to note that there was an improvement in the disposal of suits.

It is satisfactory to note that there has been a steady improvement in the disposal of old suits and the number of such suits left pending at the end of the year under review was only 297 against 365 in 1938-39, 392 in 1937-38, 622 in 1936-37, 1,55 in 1935-36 and 3,786 in 1934-35. But the progress in this direction in some of the Courts leaves much to be desired and it is hoped that every endeavour will be made to dispose of all the suits pending for more than a year unless it be for exceptional reasons. There was an increase in the average duration of suits during the year under review viz., 154 days (141 days).

(3) Execution Applications:- There was some reduction in the total number of execution cases left pending at the close of the year under review. Out of 69,222 (75,246) applications for execution of decrees, 46,095 (50,452) were disposed of leaving a balance of 23,127 (24,794) applications for disposal.

The percentage of applications which proved wholly infructuous was almost the same as in the previous year viz., 64.7 (64.0 There was however an improvement in the amount realised in execution during the year under review viz., Rs.31,19,817-3-5 compare with Rs.29,12,370-10-5 during 1938-39.

It is satisfactory to note that in addition to an appreciable reduction in the total number of execution cases left pending at the end of the year under review, the number of execution cases more than a year old was also considerably reduced. At the end of the year it was 1,539 against 2.095 at the end of the year -- 1938-39.

(4) Insolvency applications:- There has again been a considerable decrease in the gross amount of insolvents' assets realised during the year under review viz., Rs.24,224-2-2 against -- Rs.41,399-13-6 in the previous year, with a corresponding decrease in the amount disbursed to creditors viz., Rs.28,285-12-11 against Rs.36,478-1-7 in the year 1938-39.

(5) Appellate Work:- The total number of Regular Appeals filed in the District Courts and subordinate judges' courts fel

from 1,426 in the previous year to 1,304 during the year under review. Of 2654 appeals (2863) for disposal, 1558 appeals (1513) were disposed of leaving a balance of 1096 (1350) at the end of the year. There was an improvement in the disposal of such appeals in the Bangalore and Shimoga Divisions but in the Mysore Division the arrears were allowed to go up from 418 in the previous year to 510 during the year under review.

The average duration of Regular Appeals disposed of during the year under review was 377.08 days (364.47).

(6) High Court:- The post of the temporary Fourth Judge of the High Court was made permanent from 2nd January 1940.

Two additional Judges were appointed to the High Court as a temporary measure for a period of two years for the disposal of the heavy arrears of second appeals which had accumulated in the High Court.

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There was also an increase in the average duration of First and Second appeals disposed of during the year. This was due to the fact that long pending appeals of the previous years were disposed of.

(7) Inspections:- The Judges of the High Court inspected 28 Civil Courts during the year. The District Judge of Bangalore Division inspected all the Munsiff's Courts in his division and the District Judge of Shimoga Division inspected only one court in his division all the other courts having been inspected by a Judge of the High Court. The District Judge, Mysore Division

inspected some of the courts in his division.

The work of Civil Courts of all classes was satisfa

for Secretary to Government,
Law Department.

To

The Registrar, High Court of Mysore,

" PRESS TABLE.

N.B:- Figures for the previous year are shown in brackets after those pertaining to the year 1939-40.

REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN MYSORE FOR THE YEAR 1939-40

WITH THE GOVERNMENT REVIEW THEREON

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 4578—Cts. 122-40-3, dated 8th March 1941.

Civil Justice.

Reviews the report on the Administration of —— in Mysore for the year 1939-40.

READ—

Letter No. P. 35, dated 16th November 1940, from the Registrar, High Court of Mysore, forwarding the Report on the Administration of Civil Justice in Mysore for the year 1939-40.

ORDER NO. P. 4578—CTS. 122-40-3, DATED BANGALORE, THE 8TH MARCH 1941.

Recorded.

2. *Work of the Courts subordinate to the High Court.*—The total number of Civil Courts at the end of the year under review was 45 (44). With the bifurcation of the Mysore District into two Districts, *viz.*, Mysore and Mandya from 1st July 1939, the jurisdiction of the District Judge, Mysore Division, comprised the Revenue Districts of Mysore, Hassan and Mandya and the local limits of original Civil jurisdiction of the Subordinate Judge of Mysore included the Revenue Districts of Mysore and Mandya.

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3. *Execution Applications.*—There was some reduction in the total number of execution cases left pending at the close of the year under review. Out of 69,222 (75,246) applications for execution of decrees, 46,095 (50,452) were disposed of leaving a balance of 23,127 (24,794) applications for disposal.

The percentage of applications which proved wholly infructuous was almost the same as in the previous year, *viz.*, 64·7 (64·09). There was, however, an improvement in the amount realised in execution during the year under review, *viz.*, Rs. 31,19,817-3-5 compared with Rs. 29,12,370-10-5 during 1938-39.

It is satisfactory to note that in addition to an appreciable reduction in the total number of execution cases left pending at the end of the year under review, the number of execution cases more than a year old was also considerably reduced. At the end of the year it was 1,539 against 2,093 at the end of the year 1938-39.

4. *Insolvency Applications.*—There has again been a considerable decrease in the gross amount of insolvents' assets realised during the year under review, *viz.*, Rs. 24,224-2-2 against Rs. 41,399-13-6 in the previous year, with a corresponding decrease in the amount disbursed to creditors, *viz.*, Rs. 28,285-12-11 against Rs. 36,478-1-7 in the year 1938-39.

5. *Appellate Work.*—The total number of Regular Appeals filed in the District Courts and Subordinate Judges' Courts fell from 1,426 in the previous year to 1,304 during the year under review. Of 2,654 appeals (2,863) for disposal, 1,558 appeals (1,513) were disposed of leaving a balance of 1,096 (1,350) at the end of the year. There was an improvement in the disposal of such appeals in the Bangalore and Shimoga Divisions, but in the Mysore Division the arrears were allowed to go up from 418 in the previous year to 510 during the year under review.

The average duration of Regular Appeals disposed of during the year under review was 377·08 days (364·47).

6. *High Court.*—The post of the temporary Fourth Judge of the High Court was made permanent from 2nd January 1940.

Two additional Judges were appointed to the High Court as a temporary measure for a period of two years for the disposal of the heavy arrears of second appeals which had accumulated in the High Court.

There was an increase in the number of First and Second appeals filed in the High Court.

Out of 397 (373) first appeals and 1,351 (1,231) second appeals for disposal, 139 (145) and 348 (331) first and second appeals, respectively, were disposed of leaving 258 (228) first appeals and 1,003 (900) second appeals pending at the end of the year under review. There has been an increase in the number of first and second appeals left pending at the end of the year under review. This is stated to be due to the fact that heavy criminal work left less time for civil work and considerable time was also utilised for inspection work.

There was also an increase in the average duration of First and Second appeals disposed of during the year. This was due to the fact that long pending appeals of the previous years were disposed of.

7. *Inspection.*—The Judges of the High Court inspected 28 Civil Courts during the year. The District Judge of Bangalore Division inspected all the Munsiffs' Courts in his Division and the District Judge of Shimoga Division inspected only one court in his division, all the other courts having been inspected by a Judge of the High Court. The District Judge, Mysore Division, inspected some of the courts in his division.

The work of Civil Courts of all classes was satisfactory.

N. B.—Figures for the previous year are shown in brackets after those pertaining to the year 1939-40.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

To—The Registrar, High Court of Mysore.
PRESS TABLE.

Exd.—C. K.

REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN MYSORE FOR THE YEAR 1939-40.

PART I.—HIGH COURT.

1 Personnel.

(i) Sir D'Arcy Reilly, Chief Justice, was on leave from the beginning of the year to 16th November 1939. Mr. Justice Abdul Ghani officiated as Chief Justice during that period, and Mr. S. Venkata Ranga Iyengar, District Judge, acted as a Puisne Judge of the High Court.

(ii) Mr. Justice Nagesvara Iyer was on privilege leave from 13th November 1939 to 22nd December 1939, and in his place Mr. S. Venkata Ranga Iyengar continued to act as a Puisne Judge of the High Court from the return of Sir D'Arcy Reilly, Chief Justice, from leave to 22nd December 1939.

(iii) From 16th January 1940 to 25th February 1940 Mr. Justice Nagesvara Iyer was engaged on special duty away from Court, and Mr. S. Venkata Ranga Iyengar acted as a Puisne Judge of the High Court in his place from 16th January 1940 to 14th February 1940.

(iv) The appointment of temporary Fourth Judge of the High Court, held by Mr. Justice Singaravelu Mudaliar, was made permanent from 2nd January 1940.

(v) Two temporary Judges were added to the High Court for two years from 15th February 1940, as the number of second appeals preferred to the Court had increased so much in recent years; and to those posts Mr. S. Venkata Ranga Iyengar and Mr. C. Subrahmanya Aiyar, District Judges, were appointed.

2. Receipts and charges.

The total receipts and charges of the High Court for the year under report as compared with those of the previous year are set out below :—

Receipts and charges	*1938-39*	*1939-40*	*Increase*	*Decrease*
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Receipts ...	62,499 12 0	61,961 1 0	...	538 11 0
Charges ...	1,53,419 3 5	1,68,915 15 0	15,496 11 7	...

The increase under charges is mostly due to the appointment of two additional Judges with a temporary establishment from 15th February 1940.

3. Sittings of Judges.

There were 512 sittings in the year under report against 438 in the previous year and 414 in 1937-38. The sittings consisted of one Full Bench sitting, 355 Division Bench sittings and 156 sittings of single Judges on the Revision side (including the 18 sittings of the Chief Justice alone and seven Bench sittings of the Chief Justice and Mr. Justice Subrahmanya Aiyar for criminal work during the Summer Vacation).

4. First Appeals.

(i) *Institutions.*—The number of First Appeals filed during the year was 169 against 128 in the previous year, 139 in 1937-38, 122 in 1936-37, 142 in 1935-36 and an average of 85 in the preceding five years. The aggregate value of appeals filed was Rs. 5,96,250-0-7 against Rs. 3,56,149-15-5 in the previous year, and the average value of an appeal Rs. 3,528-1-8 against Rs. 2,782-6-9.

(ii) *Disposals.*—Including those pending from the previous year, there were for disposal 397 First Appeals against 373 in the previous year. The number disposed of was 139 of the aggregate value of Rs. 6,74,922-4-8 against 145 of the value of Rs. 7,71,527-6-8 in the previous year and 103 of the value of Rs. 3,27,645-6-8 in 1937-38.

(iii) *Average duration.*—The average duration of First Appeals disposed of was 668·057 days against 616.82 days in the previous year, 632·6 days in 1937-38, 515·9 days in 1936-37, in 757·04 in 1935-36, and 1,435·53 in 1934-35. The high average duration in the year under report was due to the fact that all the remaining appeals of the years 1936-37 and 1937-38 were disposed of. The table below gives the distribution according to years of the First Appeals for disposal, disposed of and pending :—

First Appeals	*1936-37*	*1937-38*	*1938-39*	*1939-40*	*Total*
For disposal	1	116	111	169	397
Disposed of	1	116	13	9	139
Pending	...	...	98	160	258

For the first time for many years no appeal more than two years old was left undisposed of at the end of the year.

(iv) *Pendency.*—As shown in the table above, there were 258 First Appeals pending at the end of the year under report against 228 at the end of the previous year and 245 at the end of 1937-38. The increase was due partly to the fact that heavy criminal work left less time for civil work and partly to the fact that 41 more appeals were received than in the previous year.

5. Second Appeals.

(i) *Institutions.*—The number of second appeals filed was 451 (including two refiled) against 412 in the previous year, 532 in 1937-38, 522 in 1936-37 and an average of only 219 for the ten years 1926-27 to 1935-36. The aggregate value of appeals filed was Rs. 1,52,724-2-4 against Rs. 1,43,289-9-11 in the previous year, Rs. 1,52,787-9-9 in 1937-38 and Rs. 1,82,673-12-11 in 1936-37.

(ii) *Disposals.*—Including those pending from the previous year, the total number of second appeals for disposal was 1,351 against 1,231; and the number disposed of was 348 of the aggregate value of Rs. 1,11,074-13-11 against 331 of the aggregate value of Rs. 1,07,872-6-11. On account of inspection work and for other reasons the full effect of appointing two additional Judges in the middle of February mainly for the disposal of Second Appeals was not fully felt during the remainder of the year. But in the succeeding months considerable progress has been made in reducing the number of those appeals.

(iii) *Average duration.*—The average duration of Second Appeals disposed of in the year was 643·362 days against 468·06 days in the previous year, 499·1 days in 1937-38, 568·4 days in 1936-37 and 751·1 days in 1935-36. The high average duration was mainly due to the disposal of long pending appeals of 1936-37. The table below gives the distribution according to years of Second Appeals for disposal, disposed of and pending :—

Second Appeals	*1936-37*	*1937-38*	*1938-39*	*1939-40*	*Total*	*Remarks*
For disposal ...	242	347	*313	449	1,351	*Includes 2 refiled.
Disposed of ...	196	4	31	117	348	
Pending ...	46	343	282	332	1,003	

6. Aggregate and average value of appeals disposed of.

The information is set out in the table below:—

Kinds of appeals and year	No.	Appeals disposed of		Costs incurred by		Average cost for an appeal
		Aggregate value	Average value	Appellants	Respondents	
First Appeals—		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1938-39 ...	145	7,71,527 6 8	5,320 14 0	54,027 0 4	24,859 0 4	544 0 8
1939-40 ...	139	6,74,922 4 8	4,855 8 10	1,37,476 4 0	18,154 13 1	119 10 4
Second Appeals—						
1938-39 ...	331	1,07,872 6 11	325 14 4	24,350 13 8	3,966 15 7	85 8 10
1939-40 ...	348	1,11,074 13 11	319 2 11	27,839 10 4	5,177 3 4	94 14 0

7. Miscellaneous Appeals.

There were 86 Miscellaneous Appeals for disposal (against 80 in the previous year) and 64 (against 60) were disposed of, leaving 22 (against 20) pending. The average duration of Miscellaneous Appeals disposed of was 159·328 days against 103·7 days in the previous year. (The disposals are classified in Statement No. 10 Part II).

Miscellaneous Appeals	*1937-38*	*1938-39*	*1939-40*	*Total*
For disposal	2	18	66	86
Disposed of	2	16	46	64
Pending	...	2	20	22

8. Civil Revision Petitions.

The number of Civil Revision Petitions filed during the year was 476 against 472 in the previous year. The number of petitions disposed of was 460 against 540 in the previous year, and the number left pending was 195 against 179 in the previous year. Of the number left pending one, which was connected with an appeal, related to the year 1938-39, and the rest to 1939-40. Details according to years are given below :—

Revision Petitions	*1937-38*	*1938-39*	*1939-40*	*Total*
For disposal	2	177	476	655
Disposed of	2	176	282	460
Pending	...	1	194	195

9. Civil Petitions.

Including 33 pending from the previous year, there were 146 Civil Petitions for disposal (against 142 in the previous year). Of them 106 were disposed of (against 109 in the previous year), leaving 40 (against 33) pending at the end of the year as shown below :—

Civil Petitions	*1937-38*	*1938-39*	*1939-40*	*Total*
For disposal	2	31	113	146
Disposed of	2	26	78	106
Pending	...	5	35	40

10. Civil Referred Cases

No Civil Referred Case was filed during the year under report. The one case, which was pending from the previous year, was disposed of.

11. Summary of Judicial Work.

The Civil judicial work done by the High Court during the year under report as compared with that of the previous year is set out in the following table :—

	Year	Opening Balance	Filed	Total for disposal	Disposed of	Pending
First Appeals ...	1938-39	245	128	373	145	228
	1939-40	228	169	397	139	258
Second Appeals ...	1938-39	819	412	1,231	331	900
	1939-40	900	451	1,351	348	1,003
Miscellaneous Appeals ...	1938-39	23	57	80	60	20
	1939-40	20	66	86	64	22
Civil Revision Petitions ...	1938-39	247	472	719	540	179
	1939-40	179	476	655	460	195
Civil Petitions ...	1938-39	35	107	142	109	33
	1939-40	33	113	146	106	40
Civil Referred Cases ...	1938-39	2	3	5	4	1
	1939-40	1	...	1	1	...
Total ...	1938-39	1,371	1,179	2,550	1,189	1,361
	1939-40	1,361	1,275	2,636	1,118	1,518

It will be seen that except under the comparatively unimportant head of Civil Referred Cases more work of every kind was received than in the previous year.

12. Statistics of the administrative business of the High Court Office.

(*i*) *Reference from the Government.*—The number of references received from the Government during the year 240 (against 235). With seven references pending from the previous year there were 247 for disposal (against 242), out of which 238 (against 235) were disposed of, leaving nine (against 7) pending at the end of the year.

(*ii*) *References from co-ordinate and subordinate offices.*—Including 68 references pending from the previous year, there were for disposal 1351 (against 1378), out of which 1230 (against 1310) were disposed of, leaving 121 (against 68) pending at the end of the year.

(*iii*) *Petitions.*—Including one pending from the previous year, there were for disposal 129 (against 121), out of which 122 (against 120) were disposed of, leaving 7 (against 1) pending.

(*iv*) *Periodical Returns and Reports.*—There were 1221 (against 1184) for disposal; and 1,216 were finally disposed of, leaving 5 (against 6) pending.

13. Law Reporting Work.

A Law Reporter, who is an Advocate of the High Court, was appointed to edit the Mysore High Court Reports for two years from 1st August 1939. Unfortunately in spite of this assistance there was for various reasons great delay in issuing monthly parts of the Reports.

PART II.

COURTS SUBORDINATE TO THE HIGH COURT.

1. Number of Courts.

The total number of District Judges, Subordinate Judges and Munsiffs was 45 on the last day of the year under report (against 44 in the previous year) as shown below:—

5 District Judges, including the Additional District Judges of Bangalore and Shimoga,
5 whole-time permanent Subordinate Judges, including the Judge of the Court of Small Causes at Bangalore and the Additional Subordinate Judge of Mysore,
1 temporary whole-time Additional Subordinate Judge of the Subordinate Judge's Court, Bangalore,
5 part-time Additional Subordinate Judges (First Class Magistrates) of Chikmagalur, Chitaldrug, Hassan, Kolar and Tumkur,
24 whole-time permanent Munsiffs, to four of whom (at Dodballapur, Hole-Narsipur, Hunsur and Kolar Gold Fields) magisterial work also has been given,
5 part-time Additional Munsiffs (Special Magistrates), namely the First Magistrate of Shimoga, the Special Magistrate of Closepet and the Second Magistrates of Kolar, Shimoga and Tumkur. (The Special Magistrate of Closepet and the Second Magistrates of Kolar and Shimoga tried no civil case during the year).

45 in all.

(*a*) The temporary appointment of the Additional District and Sessions Judge for the Bangalore Division was extended for a further period of a year from 3rd April 1940, and he continued to be an Additional Judge of the District and Sessions Court, Bangalore.

(*b*) An Additional Judge was appointed to the District Court of Shimoga for a period of six months from 1st August 1939 to dispose of heavy arrears of original suits and Land Acquisition cases. The term of the appointment was extended up to 31st March 1940 in the first instance, and it was further extended up to 30th September 1940.

(*c*) The term of the temporary Additional Subordinate Judge, who was appointed to the Subordinate Judge's Court at Bangalore from 2nd January 1936 to hear civil appeals, was continued for a period of six months from 2nd July 1939 and again for a further period of a year from 2nd January 1940.

(*d*) The temporary appointment of the First Magistrate of Tumkur as Additional Subordinate Judge to hear appeals from the decisions of Munsiffs in the Tumkur District, sanctioned for one year from 1st October 1935, was further extended to the end of the year under report.

(*e*) The First Magistrate of Shimoga was appointed Additional Munsiff of the Munsiff's Court at Shimoga from 2nd January 1940.

(*f*) The term of the whole-time Additional Munsiff, who was working at Shimoga at the end of the previous year, was extended for six months from 2nd July 1939 and afterwards further extended to 1st April 1940, from which date the appointment ceased. The Additional Munsiff worked at Shimoga, Tumkur and Chickballapur during the year.

2. Jurisdiction of Courts.

There was no change in the territorial jurisdiction of Courts during the year under report. But the District of Mysore was divided into two Districts, Mysore and Mandya, from 1st July 1939. From that date the jurisdiction of the District Judge of the Mysore Division comprised the Revenue Districts of Mysore, Hassan and Mandya, and the local limits of original civil jurisdiction of the Subordinate Judge of Mysore included the Revenue Districts of Mysore and Mandya.

3. Receipts and Charges.

The total receipts of all the Courts subordinate to the High Court were Rs. 9,79,379-14-8 against Rs. 9,85,473-4-0 in the previous year, and the charges Rs. 6,60,643-10-11 against Rs. 6,80,205-3-0. The decrease of Rs. 19,561-8-1 in charges was due to smaller totals under refunds of half-institution fees in cases compromised and of lapsed deposits.

4. Institutions and Disposal of Suits.

(*Vide* Statements 7 and 8 and Special Statements 3 and 4 and also Statement 'A').

(*a*) The total number of suits instituted in all the Civil Courts subordinate to the High Court was 25,961 against 29,220 in the previous year and an average of 36,725 in the previous ten years. There has been a very considerable decline in the total number of suits instituted, in recent years. It was 36,909 in 1935-36, 34,444 in 1936-37 and 32,861 in 1937-38. But the decrease in the work of the Courts has been much less than those figures might suggest at first sight. It is in small cause suits that most of the falling off in institutions has happened. The total number of such suits instituted in 1939-40 was 11,361 against 13,884 in the previous year and an average of 20,759 in the previous ten years. In ordinary suits, which occupy much more time in disposal, the decline was very much less. In 1939-40, the total number instituted, was 14,600 against 15,336 in the previous year and an average of 16,365 in the previous ten years. The decrease in suits and particularly in small cause suits is due mainly to the effect of the Agriculturists' Relief Act and to a small degree to the operations of Debt Conciliation Boards. When measures are introduced for the relief of debtors, it must be expected that the work of the Civil Courts will be affected. In 1939-40, the institutions in the Munsiffs' Courts were 14,239 ordinary and 6,188 small cause suits (or 20,427 in all) against 14,986 ordinary suits and 8,640 small cause suits (or 23,626 in all) in the previous year. In the Subordinate Judges' Courts (including the Court of Small Causes, Bangalore, and the Additional Subordinate Judge's Court, Mysore). Two hundred and eighty-eight ordinary suits and 5,173 small cause suits (against 271 and 5,244) were instituted. It may be noticed that there was very little fall in the number of small cause suits instituted in the Courts which try such suits in the Cities of Banaglore and Mysore. In the District Courts 73 ordinary suits (against 79) were filed.

(*b*) *Institutions according to population and area.*—On the whole in the year 1939-40 one suit was filed for every 247 persons in the State (against one for every 220 persons in the previous year) and one suit for every 1·1 square miles (against 1 square mile). Among the districts Bangalore contributed the largest number of

suits, *viz.*, 5,779, and Kadur again the smallest number, *viz.*, 911. Mysore was no longer the district in which the largest number of suits were instituted because, as mentioned already, it was divided into two districts, Mysore and Mandya.

(*c*) *Aggregate and average value of suits filed.*—The aggregate and average values of suits instituted were respectively Rs. 73,31,356-1-0 and Rs. 282-6-5 against Rs. 72,31,151-7-9 and Rs. 247-7-6 in the previous year. The average aggregate value for the ten years 1929-30 to 1938-39 was Rs. 83,56,932-0-0. Roughly, as might be expected, the decline in aggregate value has followed the decline in the number of suits instituted but has not been commensurate with it. Indeed in the year under report a large decline in the number of suits instituted was accompanied by an increase in aggregated value. These features of the statistics are the result of the decline in suits being mainly in small cause suits.

5. Disposal of Suits.

(*Vide* Statement 9, Part I and Special Statements Nos. 5 and 6).

With 25,961 suits filed and 1,064 refiled or remanded in addition to 11,662 suits pending at the beginning of the year there were for disposal 38,323 suits (against 40,830 in the previous year). The number of ordinary suits disposed of was 15,985 (against 15,932, in the previous year), of which 228 or 1·42 per cent (against 1·33 per cent) were disposed of without trial, 9,305 or 58·2 per cent (against 56·5 per cent) without contest, 6,450 or 40·35 (against 42·06) after contest and 2 by reference to arbitration. The number of small causes disposed of was 12,524 (against 13,236), of which 252 or 2·01 per cent (against 2·4) were disposed of without trial, 9,940 or 79·3 per cent (against 79·7) without contest and 2,331 or 18·6 per cent (against 17·8) after contest. Statement 'A' shows the work of individual Courts and also of different classes of Courts.

The total number of suits left pending at the end of the year was 9,814 against 11,662 at the beginning of the year, the decrease being 1,848.

6. Disposal of old suits.

(Statement 'B' appended shows the number of suits (ordinary and small causes) for disposal, disposed of, and pending according to the years to which they relate in the several classes of Courts).

At the end of the year there were 297 suits, including 9 small cause suits, in the Courts of original jurisdiction which were more than a year old. At the end of the previous year the number was 365; at the end of 1937-38 it was 392; at the end of 1936-37 it was 622; at the end of 1935-36 it was 1,555; at the end of 1934-35 it was 3,786; and at the end of 1933-34 it was 4,901. In many Courts there were only a few old suits pending, which could not be disposed of for reasons beyond the control of the Judges. Of 288 ordinary suits more than a year old 152 were in the Bangalore Division, 88 in Mysore Division and 48 in Shimoga Division. The largest number in any Court, *viz.*, 33, was in the Munsiff's Court at Shimoga. At the end of the year 2 of the Courts trying ordinary original suits, *viz.*, the Munsiffs' Courts at Kolar and Nanjangud, were clear of all such suits more than a year old. In 16 Courts the number of suits more than a year old was 5 or less; and among them were all the Courts of the Shimoga Division except four. The continued improvement in this matter is satisfactory. The number of old suits left pending at the end of the year was the lowest in modern times, which shows that on the whole the Judges of Original Civil Courts have been working diligently and in a businesslike way. But in the District Courts and in the Subordinate Judges' Courts at Bangalore and Mysore and in a few of the Munsiffs Courts there was still too much dealy.

7. Average Duration of suits.

The average duration of suits (ordinary and small cause) contested and uncontested taken together was 154 days against 141 in the previous year. The average has varied considerably in recent years. It was 548 days in 1934-35, 403 days in 1935-36, 162 days in 1936-37 and 119 days in 1937-38. When a great many old suits had to be disposed of, it was naturally high. As the arrears of old suits were cleared off it decreased. As the proportion of small cause suits to ordinary suits, which take up more time, falls the average duration is likely to rise. Of

contested suits taken separately the average duration was 285 days against 273 in the previous year: of uncontested suits it was 61·1 days against 66·7 days. Of contested ordinary suits the average duration was 325 days against 307 and of contested small cause suits 176 days against 161.

Pending file of Suits.

Year	Division			Class of Courts			Total
	Bangalore	Mysore	Shimoga	Munsiffs' Courts	Subordinate Judges' Courts	District Judges' Courts	
1938-39 ...	5,726	3,984	1,952	10,130	1,400	132	11,662
1939-40 ...	4,235	3,808	1,771	8,149	1,560	105	9,814
Increase ...	...	...	...	...	160	...	...
Decrease ...	1,491	176	181	1,981	...	27	1,848

It will be seen that taking the Courts by classes there was a reduction of arrears in the District Courts and the Munsiffs Courts but an increase in the Subordinate Judges' Courts.

9. Miscellaneous Cases.

(Statement No. 9, Part II and Special Statement No. 2.)

Including 4,283 cases pending from the previous year, the total number of miscellaneous cases for disposal was 13,520 (against 13,640 in the previous year), out of which 9,644 (against 9,357) were disposed of, leaving 3,876 pending at the end of the year. Of the 13,520 cases for disposal 784 or 5·7 per cent (against 6·4 per cent in the previous year) were applications for setting aside orders dismissing suits, 2,261 or 16·7 per cent (against 17·3 per cent) for setting aside *ex parte* decrees, 149 or 1·1 per cent (against 1·1 per cent for review of judgement, and 562 or 4·1 per cent (against 4·2 per cent) for permission to sue as paupers, while the remaining 9,764 related to other matters. Of the 9,644 cases disposed of 3,586 or 37·1 per cent (against 34·7 per cent) were contested.

10. Execution of Decrees.

(*a*) Including 24,794 applications pending from the previous year, there were for disposal 69,222 applications for execution of decrees (against 75,246 in the previous year), of which 46,095 (against 50,452) were disposed of, leaving 23,127 pending. The number of applications undisposed of was reduced by 1,667.

(*b*) The percentage of applications which proved wholly infructuous was 64·7 against 64·09 in the previous year.

(*c*) Immoveable property was sold in 3,450 cases against 3,374 cases in the previous year, and moveables in 173 against 216. Possession of immoveable property was given by the Court in 333 cases against 364 and of moveables in 7 cases against 12. Partition was effected by the Court in 14 cases against 10. The number of persons arrested was 646 against 935 and the number committed to the civil jail 64 against 58. The amount realised in execution during the year was Rs. 31,19,817-3-5 against Rs. 29,12,370-10-5 in the previous year.

(*d*) *Old Execution Cases.*—In addition to an appreciable reduction in the total number of execution cases left pending at the end of the year, the number of execution cases more than a year old was again considerably reduced. At the end of the year it was 1,539 against 2,093 at the end of the previous year, 2,411 at the end of 1937-38, 3,435 at the end of 1936-37 and 5,779 at the end of 1935-36. It will be seen that there has been a continuous reduction in the number of old cases pending; but the number is still too high. Of the 1,539 execution cases more than a year old 696 were in Bangalore Divison, 693 in Mysore Division and 150 in Shimoga Division. In the First Munsiff's Court at Mysore alone there were 179 such cases and in the Dodballapur Munsiff's Court 171.

11. Insolvency Applications.

(Statement No. 12).

The number of insolvency applications pending from the previous year was 190; the number filed was 254 against 298 in the previous year. The number of applications granted was 216 (against 305), Receivers being appointed in 66 cases against 104 cases. The number of applications withdrawn was 99 (against 152). The number of cases finally closed, in which the estates of insolvents had been vested in Receivers, was 13. The gross amount of insolvents' assets realised was Rs. 24,224-2-2 (against Rs. 41,399-13-6), and the amount disbursed to creditors was Rs. 28,285-12-11 (against Rs. 36,478-1-7).

12. Appellate Work.

(Statement No. 10, Part I and "C" Statement).

Regular Appeals.—

1. (*a*) *Institutions.*—The total number of Regular Appeals filed (including those refiled and remanded) in the District Courts and Subordinate Judges' Courts was 1,304 against 1,426 in the previous year. The aggregate value of appeals filed was Rs. 4 89,123-3-3 against Rs. 6,79,086-15-2.

(*b*) *Disposals.*—The number of regular appeals pending from the previous year was 1,350; the number disposed of was 1,558 against 1,513; and the arrears were reduced by 254 to 1,096. In the Bangalore Division, the total number of such appeals pending was reduced from 366 to 183. The Additional Subordinate Judge of Bangalore, who had been appointed primarily to hear appeals, disposed of 252 regular appeals besides five original suits and also 80 land acquisition cases, for hearing which he was specially empowered. The number of regular appeals pending in the Bangalore Division, excluding those before the Additional Subordinate Judges of Kolar and Tumkur from the decisions of Munsiffs of those districts, was reduced to 76; but the latter number might have been more if the Judge of the Court of Small Causes had found time to hear more appeals, as he should have done. In the Mysore Division on the other hand the arrears were unfortunately allowed to go up from 418 to 510. The District Judge disposed of only 25 appeals, of which only 15 were contested. As such appeals in that District are heared by the District Judge and three Subordinate Judges, they ought to be able to keep pace with the work. In the Shimoga Division, the arrears were reduced from 566 to 403. The result would have been much better if the Additional Subordinate Judge of Chickmagalur, who hears appeals from the decisions of Munsiffs in the Kadur District, had been able to overtake any appreciable part of his arrears. As he has now been relieved of a great deal of his criminal work as First Magistrate of Chikmagalur, he should be able to give much more time to civil work.

(*c*) *Average duration.*—The average duration of Regular Appeals disposed of in all the three Divisions during the year was 377·08 days (against 364·47 in the previous year). In the Shimoga Division, the average was, as in the previous year, much higher, namely, 659·31, as there were many old appeals to be heard. The following table shows the regular appeals dealt with in the three Divisions:—

Divisions	1939-40				1938-39				Remarks
	For disposal	Disposed of	Pending	Average duration	For disposal	Disposed of	Pending	Average duration	
Bangalore	882	699	183	205·6	1,263	897	366	326·6	
Mysore	885	375	510	334·55	775	357	418	264·5	
Shimoga	887	484	403	659·31	825	259	566	633·8	
Total ...	2,654	1,558	1,096	377·08	2,863	1,513	1,350	364·47	

2. Miscellaneous Appeals.

The number of Miscellaneous appeals pending at the beginning of the year was 185; the number filed was 392; the number disposed of was 388, leaving 189 pending at the end of the year. The average duration of the appeals disposed of was 181·9 days against 176·6 days in 1938-39.

PART III.—MISCELLANEOUS.

1. Income of the department as a whole.

The receipts and charges for the year under report and the previous three years are shown below :—

Year	Receipts	Charges	Savings
	Rs. a. p.	Rs. a. p.	Rs. a. p.
1939-40	10,41,310 15 8	8,29,559 9 11	2,11,751 5 9
1938-39	10,47,973 0 0	8,33,624 6 5	2,14,348 9 7
1937-38	10,66,461 4 7	7,99,817 9 11	2,66,643 10 8
1936-37	11,80,984 9 3	8,16,169 6 4	3,64,815 2 11

2. Process Department.

The figures in the last preceding paragraph include the receipts and charges of the Process Department, which are separately shown in the table below with the number of processes issued :—

Year	No. of processes issued	Receipts	Charges	Savings
		Rs. a. p.	Rs. a. p.	Rs. a. p.
1939-40	2,01,900	1,54,712 11 0	1,52,265 11 2	2,446 15 10
1938-39	1,98,765	1,58,245 3 0	1,50,757 6 9	7,487 12 3
1937-38	2,18,382	1,76,383 2 0	1,50.228 12 6	26,154 5 6
1936-37	2,21,801	1,80,200 8 0	1,47,532 8 0	32,668 0 0

It will be observed that the receipts in 1939-40 were practically no more than the charges, which is the correct position when fees are levied from the public for such a service.

3. Rented Buildings.

For two Courts buildings were rented, *viz*:—

	Monthly rent.
(1) Munsiff's Court, Kolar Gold Fields	Rs. 155
(2) Munsiff's Court, Davangere	„ 75

For the Mandya Munsiff's Court, for which a building was rented in previous years, accommodation was provided in the new District Buildings at Mandya.

4. Village Munsiffs' Courts.

As shown below the number of Village Munsiffs' Courts in existence at the end of the year under report was 116 against 123 at the end of the previous year :—

Districts	No. of Courts						
	In existence at the beginning of the year	Newly established	Abolished	In existence at the end of the year	In which no suit was filed	Others which did no work	Which tried cases
Bangalore	19	...	...	19	11	5	7
Kolar	39	...	...	39	6	...	33
Tumkur	13	...	...	13	3	3	9
Mysore	15	...	7	8	5	1	3
Mandya	7	...	...	7	4	...	3
Hassan	6	..	...	6	1	1	5
Shimoga	7	...	...	7	1	...	6
Kadur	3	...	...	3	...	...	3
Chitaldrug	14	...	...	14	...	...	14
Total ...	123	...	7	116	31	10	83

The work done during the year by the Village Munsiffs was reviewed separately and a copy of the review has been forwarded to the Government.

5. Work in the Central Record Rooms.

The number of case records received in the Central Record Rooms during the year under report was 1,03,027. In the Bangalore Division 44,815 records were destroyed, in the Mysore Division 67,056 and in the Shimoga Division 28,693. It is reported that stamps in all the records received in the Central Record Rooms were punched.

6. Securities.

Most of the officials required to give security under the rules are reported to have done so and necessary steps are being taken in cases in which security has not been given or the security given is insufficient. This matter is, as usual, receiving attention at inspections of Courts and also at the time of audit of accounts of Courts by the Civil Court Auditors.

7. Library.

The High Court Library continues to be maintained well; but in many of the subordinate Courts recent editions of text-books, which are necessary, are not available. Some special provision is required for this, as the usual budget allotments are very insufficent.

8. Legal Practitioners.

(*i*) *Advocates.*—The number of Advocates enrolled in the year was 13 against 12 in the previous year. Seven Advocates were struck off the roll. At the end of the year the number on the roll was 557, of whom 57 were from the Madras Presidency.

(*ii*) *Pleaders*:—The total number of Pleaders on the last day of the year was 361 against 639 at the end of the previous year, including those who had yet to renew their certificates. The number of Pleaders newly enrolled during the year was 22; and nine Pleaders were enrolled as Advocates.

9. Official Receivers.

There is a permanent post of Official Receiver for the Bangalore Division. The term of the Official Receivers, who were appointed temporarily for the Mysore Division and the Shimoga Division from 1st September 1937, was extended by another year from 1st September 1939.

10. Stock Registers.

The several Stock Registers in the High Court Office were maintained properly and up-to-date. They were being periodically verified; no deficiency nor excess was noticed. Reports to a similar effect have been received from the District Judges in regard to furniture and libraries. Some of the Courts, which were poorly equipped with furniture, were supplied with additional articles of furniture so far as the allotments permitted; but some special provision is necessary, as the usual budget allotments are insufficient.

11. Inspection of Courts.

(*a*) *By the Judges of the High Court.*—The Judges of the High Court inspected 28 Civil Courts during the year; and Mr. Justice S. Venkata Ranga Iyengar inspected the High Court Office.

(*b*) *By the District Judges.*—The District Judge of Bangalore inspected all the Munsiffs' Courts in his Division. The District Judge of Mysore inspected the Court of the Second Munsiff of Mysore and the Courts of the Munsiffs of Holenarsipur and Hassan. The District Judge of Shimoga inspected only the Munsiff's Court at Davangere; but all the Courts in his Division were inspected by a Judge of the High Court.

(*c*) Notes regarding inspections of subordinate Courts made by District Judges were received in the High Court and scrutinised, and instructions issued whenever necessary.

(*d*) The District Judges of Bangalore and Mysore report that stamps in the records of various Courts inspected by them were checked and reports sent to the Commissioner of Stamps. The District Judge of Shimoga reports that the inspection of stamps was not undertaken during the year under report.

T. SHAMIENGAR,
Registrar.

STATEMENT A.—Showing the Ordinary and Small Cause Suits filed and disposed of in the several Civil Courts in the State during the year 1939-40 and pending at the close of the year.

Sl. No.	Courts	Filed			For disposal			Disposed of												Pending		
								Contested				Uncontested				Total						
		O. S.	S. C.	Total	O. S.	S. C.	Total	O. S.	S. C.	Total	Average duration days	O. S.	S. C.	Total	Average duration days	O. S.	S. C.	Total	Average duration days	O. S.	S. C.	Total
	DISTRICT JUDGES' COURTS.																					
1	District Judge, Bangalore ...	40	...	40	103	...	103	42	...	42	597·9	7	...	7	220·5	21	...	49	544·04	54	...	54
2	Addl. District Judge, Bangalore	...	...	...	10	...	10	...	...	...	...	...	...	...	...	28	...	...	...	...	...	...
3	District Judge, Mysore ...	20	...	20	45	...	45	9	...	9	543·55	4	...	4	157·5	13	...	13	424·76	32	...	32
4	Do Shimoga, with Addl. Judge ...	13	...	13	60	...	60	9	...	9	1051·05	7	...	7	205·57	41	...	41	906·72	19	...	19
		...	...	...	...	...	...	25	...	25	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	73	...	73	208	...	208	85	...	85	...	18	...	18	...	103	...	103	..	105	...	105
	SUBORDINATE JUDGES' COURTS.																					
1	Subordinate Judge, Bangalore, including Addl. Subordinate Judge, Bangalore.	137	...	137	248	...	248	71	...	71	401·1	59	...	59	142·8	125	...	130	283·9	118	...	118
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	5	...	...	...	...	...	...
2	Judge, Court of Small Causes, Bangalore.	...	3,004	3,004	...	3,648	3,648	...	713	713	130·6	...	2,273	2,273	51·4	...	2,986	2,986	70·3	...	662	662
3	Additional Subordinate Judge, Kolar.	15	...	15	24	...	24	10	...	10	449·2	7	...	7	59·4	17	...	17	288·7	7	...	7
4	Subordinate Judge, Mysore ...	62	...	62	131	...	131	43	...	43	442·61	25	...	25	99·65	68	...	68	270·94	63	...	63
5	Addl. Subordinate Judge, Mysore.	...	1,760	1,760	...	2,143	2,143	...	383	383	138·31	...	1,278	1,278	58·74	...	1,661	1,661	98·52	...	482	482
6	Do Hassan ...	16	...	16	30	...	30	12	...	12	325·41	2	...	2	124·50	14	...	14	224·95	16	...	16
7	Subordinate Judge, Shimoga ...	24	409	433	41	618	659	15	148	163	299·97	5	311	316	78·77	20	459	479	154·04	21	159	180
8	Addl. Subordinate Judge, Chitaldrug.	10	...	10	20	...	20	8	...	8	338·13	4	...	4	193·25	12	...	12	289·83	8	...	8
9	Do Chikmagalur.	24	...	24	45	..	45	14	...	14	556·71	7	...	7	84·14	21	...	21	399·19	24	...	24
	Total ...	288	5,173	5,461	539	6,409	6,948	173	1,244	1,417	...	109	3,862	3,971	...	282	5,106	5,388	...	257	1,303	1,560
	MUNSIFFS' COURTS. (I) BANGALORE DIVISION.																					
1	First Munsiff, Bangalore ...	595	...	595	949	...	949	274	...	274	342·1	335	...	335	72·2	609	...	609	193·6	340	...	340
2	Second Munsiff, Bangalore ...	619	...	619	944	...	944	333	...	333	282·5	353	...	353	55·3	686	...	686	165·6	258	...	258
3	Munsiff, Closepet ...	594	167	761	908	199	1,107	244	17	261	244·7	428	146	574	72·4	672	163	835	123·6	236	36	272
4	Munsiff, Dodballapur ...	424	199	623	684	252	936	267	39	306	305·6	201	158	359	61 03	468	197	665	173.6	216	55	271
5	Munsiff, Kolar ...	797	388	1,185	1.091	485	1,576	210	63	303	210·9	611	324	935	55·7	851	387	1,238	93·7	240	98	338
6	Munsiff, Kolar Gold Fields ...	344	546	890	953	2,004	2,957	328	312	640	246·02	478	1,568	2,046	53·1	806	1,880	2,686	98·7	147	124	271
7	Do Chikballapur, with Tempy Addl. Munsiff.	507	234	741	848	313	1,161	328	70	398	329·8	272	185	457	65·7	517	225	855	188·7	248	58	306
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	83	30	...	...	...	...	...
8	First Munsiff, Tumkur, with Addl. First Munsiff cum 2nd Magte. and Tempy. Addl. Munsiff of the First and Second Munsiffs' Courts.	599	346	945	908	432	1,340	212	58	270	340·06	351	257	608	62·06	522	312	878	147·5	345	117	462
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	11	...	...	...	...	...	...
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	30	3	...	...	...	...	...
9	Second Munsiff, Tumkur, with Tempy. Addl. Munsiff of the First and Second Munsiffs' Courts.	772	310	1,082	1,080	357	1,437	242	16	258	734·5	503	260	763	69·2	735	276	1,021	237·3	335	81	416
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	10	...	...	...	...	...	..
10	Munsiff, Madhugiri ...	658	491	1,149	936	588	1,524	283	69	352	261·1	313	399	712	48·2	596	468	1,064	118·7	340	120	460
	Total ...	5,909	2,681	8,590	9,301	4,630	13,931	2,751	644	3,395	315·5	3,845	3,297	7,142	58·9	6,596	3,941	10,537	141·7	2,705	689	3,394

Sl. No.	Courts	Filed			For disposal			Disposed of												Pending		
								Contested				Uncontested				Total						
		O. S.	S. C.	Total	O. S.	S. C.	Total	O. S.	S. C.	Total	Average duration days	O. S.	S. C.	Total	Average duration days	O. S.	S. C.	Total	Average duration days	O. S.	S. C.	Total
	MUNSIFFS' COURTS, (II). MYSORE DIVISION.																					
11	First Munsiff's Court, Mysore ...	795	...	795	1,150	....	1,150	289	...	289	511·06	432	...	432	62·80	721	...	721	286·43	429	...	429
12	Second Munsiff's Court, Mysore.	498	..	498	805	...	805	233	...	233	293·24	249	...	249	87·98	482	...	482	190·61	323	...	323
13	Munsiff's Court, Seringapatam ...	563	352	915	838	429	1,267	191	30	221	293·90	404	323	727	60·89	595	353	948	177·39	243	76	319
14	Do Mandya ...	947	453	1,400	1,404	602	2,006	259	52	311	263·55	758	431	1,189	67·85	1,017	483	1,500	165·70	387	119	506
15	Do Hunsur ...	432	203	635	726	242	968	195	11	206	308·31	280	178	458	76·34	475	189	664	192·32	251	53	304
16	Do Nanjangud ...	1,061	476	1,537	1,832	564	2,396	408	56	464	234·57	935	386	1,321	67·62	1,343	442	1,785	151·09	489	122	611
17	Do Hole-Narsipur ...	604	273	877	870	337	1,207	213	18	231	260·81	411	247	658	68·12	624	265	889	164·46	246	72	318
18	Do Hassan ...	786	501	1,287	1,152	581	1,733	266	53	319	281·46	578	431	1,009	61·64	844	484	1,328	171·50	308	97	405
	Total ...	5,686	2,258	7,944	8,777	2,755	11,532	2,054	220	2,274	305·86	4,047	1,996	6,043	64·15	6,101	2,216	8,317	187·43	2,676	539	3,215
	MUNSIFFS' COURTS. (III). SHIMOGA DIVISION.																					
	Munsiff's Court, Shimoga ...	428	341	769	725	412	1,137	268	49	317	340·44	173	272	445	61·27	441	321	762	177·41	284	91	375
19	with Addl. Munsiff. Shimoga, and	...	...	...	40	...	40	37	...	37	510·45	3	...	3	45·66	40	...	40	475·6	...	...	...
	ex-officio Addl. Munsiff, Shimoga.	...	...	...	10	...	10	9	...	9	451·10	...	...	...	...	9	...	9	451·11	1	...	1
	Munsiffs Court, Sagar ...	375	157	532	537	211	748	180	37	217	180·16	216	142	358	41·93	396	179	575	94·10	141	32	173
20	Do Chitaldrug ...	543	338	881	897	392	1,199	254	37	291	238·85	339	288	627	54·33	593	325	918	112·82	214	67	281
21	Do Davangere ...	626	198	824	976	261	1,237	306	42	348	311·25	376	169	545	56·77	682	211	893	155·55	294	50	344
22	Do Chikmagalur ...	452	119	571	686	161	847	207	33	240	250·87	296	93	389	70·08	503	126	629	139·02	183	35	218
23	Do Narasimharajapura ...	220	96	316	347	139	486	127	25	152	235·44	112	74	186	85·61	239	99	338	152·99	108	40	148
24	Total ...	2,644	1,249	3,893	4,128	1,576	5,704	1,388	223	1,611	275·47	1,515	1,038	2,553	58·84	2,903	1,261	4,164	142·65	1,225	315	1,540
	MUNSIFFS' COURTS.																					
1	Total for Bangalore Division ...	5,909	2,681	8,590	9,301	4,630	13,931	2,751	644	3,395	315·5	3,845	3,297	7,142	58·9	6,596	3,941	10,537	141·7	2,705	689	3,394
2	Total for Mysore Division ...	5,686	2,258	7,944	8,777	2,755	11,532	2,054	220	2,274	305·86	4,047	1,996	6,043	64·15	6,101	2,216	8,317	187·43	2,676	539	3,215
3	Total for Shimoga Division ...	2,644	1,249	3,893	4,128	1,576	5,704	1,388	223	1,611	275·47	1,515	1,038	2,553	58·84	2,903	1,261	4,164	142·65	1,225	315	1,540
	Grand total for Munsiffs' Courts.	14,239	6,188	20,427	22,206	8,961	31,167	6,193	1,087	7,280	292·03	9,407	6,331	15,738	62·2	15,600	7,418	23,018	158·39	6,606	1,543	8,149
	Total for Subordinate Judges' Courts.	288	5,173	5,461	539	6,409	6,948	173	1,244	1,417	223·7	109	3,862	3,971	58·8	282	5,106	5,388	126·74	257	1,303	1,560
	Total for District Judges' Courts...	73	...	73	208	...	208	85	...	85	772·8	18	...	18	200·1	103	...	103	673·34	105	...	105
	Grand Total ...	14,600	11,361	25,961	22,953	15,370	38,323	6,451	2,331	8,782	285·6	9,534	10,193	19,727	61·1	15,985	12,524	28,509	154·27	6,968	2,846	9,814

STATEMENT B.

Statement showing the number of suits for disposal, disposed of and pending, according to years, during the year 1939-40.

Class of Courts		1926-27		1927-28		1928-29		1929-30		1930-31		1931-32		1932-33		1933-34	
		O. S.	S. C.	O. S.	S. C.	O. S	S. C..	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C
Munsiffs' Courts ...	For disposal ...	...	...	1	1	...	...	2	...	3	..	7	...	9	...	13	1
	Disposed of ...	...	...	1	...	...	...	2	...	3	...	4	...	4	...	12	1
	Pending ...	...	..	...	1	...	...	...	...	...	...	3	...	5	...	1	...
Subordinate Judges' Courts including Additional Sub-Judges' Courts and Court of Small Causes.	For disposal ...	...	...	...	...	...	...	...	...	...	...	...	...	2	...	1	...
	Disposed of ...	...	...	...	...	...	...	...	...	...	...	...	...	2	...	1	...
	Pending ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
District Judges' Courts.	For disposal ...	1	...	...	...	...	...	...	...	...	...	1	...	2	...	...	..
	Disposed of ..	1	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...
	Pending ...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...
Grand Total ...	For disposal ...	1	...	1	1	...	...	2	...	3	...	8	...	13	...	14	1
	Disposed of ...	1	...	1	...	...	...	2	...	3	...	5	...	7	...	13	1
	Pending ...	...	...	...	1	...	...	...	...	...	...	3	...	6	...	1	...

Class of Courts		1934-35		1935-36		1936-37		1937-38		1938-39		1939-40		Total		Grand Total
		O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	O. S.	S. C.	
Munsiffs' Courts ...	For disposal ...	15	1	38	1	72	2	317	39	7,294	2,835	14,435	6,081	22,206	8,961	31,167
	Disposed of ...	15	1	35	1	64	2	301	39	7,149	2,829	8,010	4,545	15,600	7,418	23,018
	Pending ...	...	...	3	...	8	...	16	...	145	6	6,425	1,536	6,606	1,543	8,149
Subordinate Judges' Courts including Additional Sub-Judges' Courts and Court of Small Causes.	For disposal ...	...	...	2	2	6	10	43	22	193	1,194	292	5,181	539	6,409	6,948
	Disposed of ...	...	...	2	2	4	10	37	22	144	1,192	92	3,880	282	5,106	5,388
	Pending ...	...	...	...	...	2	...	6	...	49	2	200	1,301	257	1,303	1,560
District Judges' Courts.	For disposal ...	5	...	6	...	16	...	37	...	67	...	73	...	208	...	208
	Disposed of ...	3	...	6	...	13	...	24	...	36	...	18	...	103	...	103
	Pending ...	2	...	...	...	3	...	13	...	31	...	55	...	105	...	105
Grand Total ...	For disposal ...	20	1	46	3	94	12	397	61	7,554	4,029	14,800	11,262	22,953	15,370	38,323
	Disposed of ...	18	1	43	3	81	12	362	61	7,329	4,021	8,120	8,425	15,985	12,524	28,509
	Pending ...	2	..	3	...	13	...	35	...	225	8	6,680	2,837	6,968	2,846	9,814

Statement showing the number of Regular Appeals dealt with during the year 1939-40 in the several Appellate Courts subordinate to the High Court.

Courts	Opening balance	Filed including refiled, etc.	Total	Transferred	Number for disposal	Disposed of			Average duration	Pending	Remarks
						Contested	Uncontested	Total			
1	2	3	4	5	6	7	8	9	10	11	12
District Judge, Bangalore ...	138	103	241	87	154	59	26	85	222·7	46	
Additional District Judge, Bangalore ...						18	5	23			
Subordinate Judge, Bangalore	43	223	266	2	264	2	...	2	419·5	...	
Additional Subordinate Judge, Bangalore... ...						237	15	252	195·5	10	
Additional Subordinate Judge, Kolar (First Class Magte.) ...	96	97	193	3	190	149	20	169	222·2	21	
Additional Subordinate Judge, Tumkur ...	82	160	242	14	228	136	6	142	196·4	86	
Judge, Court of Small Causes, Bangalore	7	39	46	...	46	25	1	26	159·	20	
Total ...	366	622	988	106	882	626	73	699	205·6	183	
District Judge, Mysore	101	337	438	243	195	15	10	25	512·92	170	
Subordinate Judge, Mysore	134	118	252	1	251	86	10	96	326·43	155	
Additional Subordinate Judge, Mysore	128	140	268	2	266	133	18	151	292·5	115	
Additional Subordinate Judge, Hassan (First Class Magte.) ...	55	118	173	...	173	97	6	103	206·37	70	
Total ...	418	713	1,131	246	885	331	44	375	334·55	510	
District Judge, Shimoga, (including Additional District Judge, Shimoga).	260	143	403	124	279	59	14	73	618·45	120	
Subordinate Judge, Shimoga	91	121	212	...	212	84 131	2 12	86 143	981·44	69	
Additional Subordinate Judge, Chitaldrug (First Class Magte.).	79	97	176	...	176	90	5	95	349·18	81	
Additional Subordinate Judge, Chikmagalur (do) ...	136	84	220	...	220	76	11	87	543·17	133	
Total ...	566	445	1,011	124	887	440	44	484	659·31	403	
Grand Total ...	1,350	1,780	3,130	476	2,654	1,397	161	1,558	377·08	1,096	

STATEMENT D.

Statement showing the quinquennial statistics of institutions and disposals of suits and Regular Appeals in the Subordinate Civil Courts in the State during 1939-40.

Years	Institutions			Disposals			Pending			Average duration in days
	Ordinary Suits	Small Cause Suits	Regular Appeals	Ordinary Suits	Small Cause Suits	Regular Appeals	Ordinary Suits	Small Cause Suits	Regular Appeals	
1	2	3	4	5	6	7	8	9	10	11
1935–36	15,358	20,551	1,714	19,498	20,040	1,493	8,481	4,155	1,909	403·9
1936–37	16,406	18,038	2,190	17,891	18,632	1,905	7,795	3,633	1,547	430·9
1937–38	16,356	16,505	1,796	17,304	16,787	1,574	7,511	3,341	1,437	130·2
1938-39	15,336	13,884	1,611	15,932	13,236	1,513	7,676	3,986	1,350	152·4
1939–40	14,600	11,361	1,780	15,985	12,524	1,558	6,968	2,846	1,096	165·5

ANNUAL JUDICIAL STATEMENT No. 1—(CIVIL).

Statement showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Jurisdiction in the Mysore State on the last day of the year 1939-40 with the cost of Tribunals.

Name of Province	Area	Population	Number of Divisions for Courts under High Court, but superior to Chief Courts of Districts	Number of Districts	Number of Sub-Districts	Total number of Officers exercising Original or Appellate Jurisdiction					Total number of cases decided				Total Receipts of the Courts	Total Charges of the Courts	Remarks
						Judges of High Court of Province	Judges of other Courts superior to Chief District Courts	Judges of Chief Courts of Districts	Judges of District Courts other than Chief Courts	Judges of other Sub-ordinate Courts	Original		Appeals				
											Regular	Miscellaneous	Regular	Miscellaneous			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1. Munsiffs' Courts ...	...	...	...	...	...		...	...	...	29	23,018	44,374	..	...	Rs. 6,36,627-10-7	Rs. 4,25,182-6-3	Savings. 2,11,445-4-4
2. Subordinate Judges' Courts (including Additional Subordinate Judges).	...	...	...	...	...	...	...	..	...	11	5,388	10,754	1,266	257	2,04,583-10-0	99,440-11-11	1,05,142-14-1
3. District Judges, Courts (Including Additional District Judges).	...	...	...	...	..	...	...	...	5	...	103	933	292	131	1,38,168-10-1	1,36,020-8-9	2,148-1-4
4. High Court of Mysore ...	29,312 sq. miles	64,23,189	..	..	...	6	...	...	...	...	...	...	487	631	61,931-1-0	1,68,915-15-0	Loss. 1,06,984-14-0
Grand Total ...	29,312 Sq. miles	64,23,189	...	...	...	6	...	...	5	40	28,509	56,061	2,045	1,019	10,41,310-15-8	8,29,559-9-11	Net savings. 2,11,751-5-9

ANNUAL JUDICIAL STATEMENT No. 7—(CIVIL).

Statement showing the number and description of Civil Suits instituted in the Civil Courts in the Mysore State during the year 1939-40.

lass of Tribunals	Suits for money or movable property										Title and other suits																		
	Contract in writing	Contract not in writing	On account stated	Money had and received	Goods sold	Wages, work and materials	Breach of contract not mentioned above	Rent not falling under the rent law	Movable property or value thereof	Damages	Suits for immovable property	Suits for declaratory decrees	Other suits under the Specific Relief Act	Suits to declare and establish rights to real property, including pre-emption, foreclosure, etc.	Suits to declare and establish personal rights	Suits for an account	Suits relating to religious endowments	Suits to set aside judgments, contracts or obligation on the ground of fraud	Suits for dissolution of marriage	Suits for enforcement of matrimonial rights	Suits for partition	Suits relating to shipping	Suits relating to religion and caste	Administration Suits	Interpleader suits	Dissolution of partnership	Suits under Section 261, Act X of 1865 (also Hindu Wills Act)	Other suits not falling under any of the previous heads	Grand Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
IVIL COURTS.																													
unsiffs' Courts ...	4, 591	628	680	39	805	9	9	733	84	115	989	517	54	240	109	11	...	24	...	33	85	...	...	...	...	3	1	668	20,427
ıbordinate Judges' Courts ...	3,930	149	327	60	685	22	...	176	11	6	16	29	3	5	3	...	...	4	...	...	18	...	...	...	...	4	...	13	5,461
istrict Judges' Courts.	21	...	1	1	...	...	..	...	...	4	4	16	...	1	...	1	3	2	...	...	4	...	...	2	...	...	7	6	73
Total ...	18,542	777	1,008	100	1,490	31	9	909	95	125	1,009	562	57	246	112	12	3	30	...	33	107	...	...	2	...	7	8	687	25,961

ANNUAL JUDICIAL STATEMENT No. 8—(CIVIL).

Statement showing the number and the value of Suits instituted in the Civil Courts in the Mysore State during the year 1939-40.

Class of Courts	Number of suits instituted in the different Courts									Total value of suits	Remarks
	Not exceeding Rs. 10	Ditto Rs. 50	Ditto Rs. 100	Ditto Rs. 500	Ditto Rs. 1,000	Ditto Rs. 5,000	Ditto Rs. 10,000	Exceeding Rs. 10,000	Number of suits the value of which cannot be estimated in money		
1	2	3	4	5	6	7	8	9	10	11	12
CIVIL COURTS.										Rs. a. p.	
unsiffs' Courts	840	5,789	4,628	6,786	1,255	580	...	...	549	39,07,311 14 8	20,427
ıbordinate Judges' Courts, including Additional Subordinate Judge's Courts.	82	1,577	1,530	1,987	4	213	56	...	12	17,31,307 2 9	5,461
istrict Judges' Courts including Additional District Judges.	...	...	...	2	4	5	4	51	7	16,92,736 15 7	73
Total ...	922	7,366	6,158	8,775	1,263	798	60	51	568	73,31,356 1 0	25,961

ANNUAL JUDICIAL STATEMENT No. 9—(CIVIL

Statement showing the general results of the trial of Civil Cases in the Courts of Original Jurisdiction in the Mysore State during the year 1939-40.

PART I—CIVIL SUITS.

Class of Courts	Total number of suits before the Courts	Number of suits disposed of										Pending at the close of the year	Number of cases pending for more than three months	Average duration of suits		Remarks
		By transfer to Courts in other Provinces	Without trial	Without contest				On reference to arbitration		With contest						
				Compromised	Decreed on confession	Decreed *ex parte*	Dismissed *ex parte*	For plaintiff	For defendant	Judgment for plaintiff in whole or in part	Judgment for defendant			Contested	Uncontested	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
CIVIL COURTS.																Disposals
Munsiffs' Courts	31,167	...	364	1,518	5,337	8,352	165	3	...	5,676	1,603	8,149	4,655	292·03	62·2	23,018
Subordinate Judges' Courts	6,948	...	112	319	1,372	2,161	7	...	...	1,183	234	1,560	505	223·7	58·8	5,388
District Judges' Courts	208	...	4	10	3	1	...	...	...	45	40	105	80	772·8	200·1	103
Total ...	38,323	...	480	1,847	6,712	10,514	172	3	...	6,904	1,877	9,814	5,240	285·6	61·1	28,509

PART II—CIVIL MISCELLANEOUS CASES.

CIVIL COURTS.																
																Disposed of
Munsiffs' Courts	10,782	...	619	110	995	2,947	366	...	...	1,203	1,594	2,948	1,964	...	...	7,834
Subordinate Judges' Courts (including Additional Subordinate Judges' Courts.	1,918	...	135	8	453	124	73	...	...	273	285	567	268	...	...	1,351
District Judges' Courts (including Additional District Judges' Courts).	820	...	70	9	47	86	16	...	...	137	94	361	241	...	...	459
Total ...	13,520	...	824	127	1,495	3,157	455	...	...	1,613	1,973	3,876	2,473	...	...	9,644

ANNUAL JUDICIAL STATEMENT No. X—(CIVIL).

Statement showing the business of Civil Appellate Courts in the Mysore State during the year 1939-40.

PART I—APPEALS FROM DECREES.

Class of Courts	Total number of appeals before the Court	Transferred to Courts in other Provinces	Appeals summarily rejected	Dismissed for default or otherwise not prosecuted	Heard *ex parte*				Contested				Pending	Pending more than three months	Average duration of Appeals	Objections filed	Remarks
					Confirmed	Modified	Reversed	Remanded	Confirmed	Modified	Reversed	Remanded					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Appeals from Decrees.—																	
Subordinate Judges' Courts (including Additional Sub-Judges' Courts.)	728	...	6	28	4	3	1	...	324	69	115	41	137	104	202·5	15	591
Subordinate Judge, Mysore, (including Additional Sub-Judges' Courts, of Mysore and Hassan.)	690	...	3	22	7	1	1	...	180	46	63	27	340	247	275·48	12	350
Subordinate Judge, Shimoga, (including Additional Sub-Judges' Courts of Chikmagalur and Chitaldrug.)	608	...	...	21	7	...	...	...	167	47	69	14	283	254	680·14	3	325
Total for Sub-Judges' Courts ...	2,026	...	9	71	18	4	2	....	671	162	247	82	760	605	345·29	30	1266
District Judges' Courts (including Additional District Judges).	628	...	9	42	3	...	3	...	149	42	31	13	336	275	463·04	3	292
High Court	1,748	...	...	58	107	...	...	...	179	42	89	12	1261	1140	650·1	6	487
Grand Total ...	4,402	...	18	171	128	4	5	...	999	246	367	107	2357	2020	434·4	39	2045

PART II—APPEALS FROM ORDERS.

Appeals from Orders.—																	
Subordinate Judges' Courts (including Additional Subordinate Judges.)	356	...	4	27	4	...	1	1	129	4	73	14	99	64	186·9	...	257
District Judges' Courts (including Additional District Judges.)	221	...	9	25	6	...	...	...	58	5	20	8	90	68	174·19	...	131
High Court	86	...	...	7	...	...	...	...	37	1	14	5	22	14	156·61	...	64
Total ...	663	...	13	59	10	...	1	1	224	10	107	27	211	146	178·2	...	452

ANNUAL JUDICIAL STATEMENT No. XI—(CIVIL).

Statement showing the result of Proceedings on applications for the Execution of Decrees of the Civil Courts in the Mysore State during the year 1939-40.

Class of Courts	Total number of applications for the execution of decrees before Courts	Applications disposed of				Pending at the end of the year	Number of applications pending more than three months at the end of the year	Amount realised	Number of applications											Remarks
		By transfer	Satisfaction obtained in full	Satisfaction obtained in part	Wholly infructuous				On which the judgment-debtor was imprisoned	On which he was arrested but released without imprisonment	On which movable property		On which immovable property			On which possession was given		On which specific performance was enforced	On which partition was effected	On which execution was effected otherwise than the preceding columns	
											Was sold	Was attached but subsequently released	Was sold	Was dealt with under O. 21 R. 83 Sec. III Para 2 Sec. 72 C. P. C.	Was attached but subsequently released under O. XXI R. 55 C. P. C.	Of movables	Of immovables				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
CIVIL COURTS.								Rs. a. p.													disposed of
Munsiffs' Courts ...	54,741	678	6,275	5,880	23,557	18,351	13,215	20,39,280-11-3	31	271	146	526	3,323	18	470	5	299	2	11	...	36,390
Subordinate Juges' Courts including Small Cause Court, Bangalore, Additional Subordinate Judges' Courts, Kolar, Mysore, Hassan, Chitaldrug and Chikmagalur.	13,789	962	764	1,583	5,946	4,534	3,028	5,74,291 8 3	32	310	23	91	115	10	8		31		3	...	9,255
District Judges' Courts	692	3	64	61	322	242	199	5,06,244 15 11	1	1	4	4	12	...	5	2	3	...	...	1	450
Total ...	69,222	1,643	7,103	7,524	29,825	23,127	16,442	31,19,817 3 5	64	582	173	621	3,450	28	483	7	333	2	14	1	46,095

ANNUAL JUDICIAL STATEMENT No. XII—(CIVIL).

Statement showing the number and result of Applications and Proceedings under the Mysore Insolvency Act, No. XI of 1925 in the Mysore State during the year 1939-40.

Class of Courts	Applications for a declaration of insolvency								Number of insolvents discharged during the year under Section 355	Number of insolvents' estates in the hands of the Receiver, in which proceedings were finally closed during the year	Amount of creditors' claims dealt with during the year		Gross amount of insolvents' assets realised and disbursed		Remarks
	Total number for hearing	Transferred to another Province, withdrawn, etc.	Granted		Rejected			Pending at the close of the year			Admitted	Satisfied	Realised during the year	Disbursed during the year	
			A Receiver being appointed	A Receiver not being appointed	Penal proceedings under Section 359 not being taken	Sentence of imprisonment being passed under Section 359	Applicant being sent to the Magistrate to be dealt with								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Munsiffs' Courts ...	193	35	10	99	6	...	...	43	124	7	Rs. a. p. 22,473 8 8	Rs. a. p. 16,687 8 9	Rs. a. p. 14,286 13 0	Rs. a. p. 13,868 13 0	150
Subordinate Judges' Courts.	208	50	49	49	...	...	...	60	49	6	...	...	8,625 14 6	12,027 9 3	148
District Judges' Courts...	43	14	7	2	1	...	...	19	6	...	9,204 12 4	1,026 6 8	1,311 6 8	2,389 6 8	24
Total ...	444	99	66	150	7	...	...	122	179	13	31,678 5 0	17,713 15 5	24,224 2 2	28,285 12 11	322

SPECIAL STATEMENT No.

Statement showing the number and nature of Miscellaneous Applications in the Mysore State dealt with during the year 1939-40.

Class of Courts	Plaints rejected or returned before registration	For setting aside orders of dismissal of suits under O. V. R. 26, O. IX, R. 2 & O. IX—R. 8. Civil Procedure Code				For setting aside *ex parte* decrees under O. IX,R. 6 of Civil Procedure Code				For review of judgment or new trial				Pauper applications				Remarks
		Filed	Granted	Rejected	Pending	Filed	Granted	Rejected	Pending	Filed	Granted	Rejected	Pending	Filed	Granted	Rejected	Pending	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Munsiffs' Courts	...	569	170	219	180	1,841	547	654	640	84	15	39	30	428	161	101	166	Pending 1,016
Subordinate Judges' Courts including Additional Sub-Judge Courts.	...	187	75	59	53	411	160	148	103	55	18	21	16	90	25	28	37	209
District Judges' Courts including Additional District Judges' Courts.	...	28	5	6	17	9	2	2	5	10	...	4	6	44	18	5	21	49
Total ...	...	784	250	284	250	2,261	709	804	748	149	33	64	52	562	204	134	224	1,274

SPECIAL STATEMENT No. III—(CIVIL).

Statement showing the number and description of Small Cause Suits instituted during the year 1939-40.

Class of Courts	Suits for money or movable property										Other suits	Remarks
	Contract in writing	Contract not in writing	On accounts stated	Money had and received	Goods sold	Wages, work and materials	Breach of contract not mentioned above	Rent not falling under the rent law	Moveable property or value thereof	Damages		
1	2	3	4	5	6	7	8	9	10	11	12	13
Munsiffs' Courts ..	4,779	244	370	11	534	3	1	223	20	...	3	6,188
Court of Small Causes, Bangalore, Additional Subordinate Judge's Court, Mysore, and Subordinate Judge's Court, Shimoga.	3,761	145	321	59	679	21	...	173	8	3	3	5,173
Total ...	8,540	389	691	70	1,213	24	1	396	28	3	6	11,361

SPECIAL STATEMENT No. IV—(CIVIL).

Statement showing the number and value of Small Cause Suits instituted during the year 1939-40.

Class of Courts	Number and value of suits				Total	Value
	Not exceeding Rs. 10	Not exceeding Rs. 50	Not exceeding Rs. 100	Not exceeding Rs. 500		
1	2	3	4	5	6	7
						Rs. a. p.
Munsiffs' Courts ...	368	3,670	2,150	...	6,188	3,30,958 6 11
Court of Small Causes, Bangalore, Additional Subordinate Judge's Court, Mysore, and Subordinate Judge's Court, Shimoga.	82	1,577	1,528	1,986	5,173	6,15,077 4 0
Total ...	450	5,247	3,678	1,986	11,361	9,46,035 10 11

SPECIAL STATEMENT No. V—(CIVIL).

Statement showing the number and value of Small Cause and Ordinary Suits disposed of during the year 1939-40.

Class of Courts	Number of suits disposed of													Total number of suits disposed of		Total value of suits		Remarks
	Not exceeding Rs. 10		Not exceeding Rs. 50		Not exceeding Rs. 100		Not exceeding Rs. 500		Ordinary suits not exceeding Rs. 1,000.	Ordinary suits not exceeding Rs. 5,000.	Ordinary suits not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.					
	Ordinary	Small Causes	Ordinary	Small Causes	Ordinary	Small Causes	Ordinary	Small Causes						Ordinary	Small Causes	Ordinary	Small Causes	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Munsiffs' Courts	518	534	2,296	44,53	2,447	2,431	7,363	...	1,355	553	...	...	1,068	15,600	7,418	Rs. a. p. 36,90,907 10 11	Rs. a. p. 3,36,452 15 0	23,018
Subordinate Judges' Courts including Small Cause Court, Bangalore, Additional Subordinate Judges' Courts, Kolar, Mysore, Hassan, Chitaldrug and Chikmagalur.	...	143	...	16,96	...	1,650	4	1,617	1	202	46	...	29	282	5,106	9,84,828 5 1	6,70,496 2 8	5,388
District Judges' Courts ...	3	...	2	...	...	...	2	...	2	10	5	70	9	103	...	23,11,551 14 4	...	103
Total ...	521	677	2,298	6,149	2,447	4,081	7,369	1,617	1,358	765	51	70	1,106	15,985	12,524	69,87,287 14 4	10,06,949 1 8	28,509

SPECIAL STATEMENT No. VI—(CIVIL).

Statement showing the general results of the trial of Small Cause suits in the Civil Courts of the State during the year 1939-40.

Class of Courts	Total number of suits before the Courts	Number of Suits disposed of										Pending at the close of the year	Pending more than three months at the close of the year	Average duration		Remarks
		Without contest						On reference to arbitration		With contest						
		Transferred to other Courts	Without trial	Compromised	Decreed or confession	Decreed *ex parte*	Dismissed *ex parte*	For plaintiff	For defendant	Judgment for plaintiff in whole or part	Judgment for defendant			Contested	Uncontested	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Munsiffs' Courts ...	8,961	...	150	481	1,890	3,729	80	1	...	895	192	1,543	551	204·9	55·7	Disposed of 7,418
Subordinate Judge's Court, Shimoga, including Small Cause Court, Bangalore, and Additional Sub Court, Mysore.	6,409	..	102	291	1,321	2,142	6	..	...	1,053	191	1,303	593	151·2	55·5	5,106
Total ...	15,370	...	252	772	3,211	5,871	86	1	...	1,948	383	2,846	1,144	176·2	55·7	12,524

T. SHAMIENGAR,

Registrar.